

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA**

IN RE:) BK 24-40267-BSK
ALDEN H. ZUHLKE and) (Chapter 7)
LISA A. ZUHLKE,)
Debtors.)

DEPOSITION OF DOUGLAS HALL

Taken at the Madison County Courthouse,
located at 1313 N Main, Madison,
Nebraska;
On the 16th day of April, 2025
commencing at 9:43 a.m.;
Taken on behalf of Rabo Agrifinance,
herein by its attorney Richard P. Garden,
Jr.;
Before Tracy S. Kaczor, CSR.

APPEARANCES

On behalf of RICHARD P. GARDEN
Rabo Agrifinance: Attorney at Law
233 S 13th Street
1900 US Bank Building
Lincoln, NE 68508

On behalf of LAUREN GOODMAN
Dillan Zuhlke Attorney at Law
Derek Zuhlke 1601 Dodge Street
Suite 3700
Omaha, NE 68102

Chapter 7 Trustee: PHILIP M. KELLY
Attorney at Law
PO Box 419
Scottsbluff, NE 69363

Also present: Dillan Zuhlke
Derek Zuhlke

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STIPULATIONS

It is stipulated and agreed by and between the parties hereto:

1. That the deposition may be taken before myself, Tracy S. Kaczor, CSR and General Notary Public.

2. That the notice of the time and place of the taking of this deposition is waived.

3. That the notice of the filing of the deposition is waived.

4. That the deposition is being taken pursuant to the Nebraska Rules of Discovery.

5. That the testimony may be transcribed outside the presence of the witness.

1 (Exhibits No. 1 through 26 were
2 marked.)

3 MR. GARDEN: As a housecleaning
4 matter, we've stipulated to reserve all
5 objections except as to form and foundation.

6 COURT REPORTER: Yes, correct.

7 MR. GARDEN: All right.

8 **DOUGLAS HALL,**

9 Having been first duly sworn,
10 testified as follows:

11 **EXAMINATION BY MR. GARDEN**

12 Q. Sir, would you state your name,
13 please, and spell it for the record.

14 A. Douglas Alan Hall.

15 Q. And where do you live?

16 A. 85882 526th Avenue, Neligh,
17 Nebraska.

18 Q. You're appearing here pursuant to a
19 subpoena that we marked as Exhibit 1, aren't
20 you?

21 A. I am.

22 Q. Have you ever given a deposition
23 before?

24 A. Yes.

25 Q. How long ago?

1 A. Quite a few years. I don't know how
2 long.

3 Q. I'm kind of curious, what kind of
4 case?

5 A. Actually, a couple different ones,
6 but one of them was with a land deal that a
7 representative of AJ DeCoster said he was
8 going to sell me some land and then they
9 backed out.

10 Q. All right. So a contract case?

11 A. (Witness nodding head yes.)

12 Q. We've got some pretty easy ground
13 rules here today. If you don't hear me or
14 don't understand me, let me know. And that's
15 going to bring up the second rule, that we
16 have to answer affirmatively. And kind of the
17 third more of a guideline, but for the court
18 reporter, let's not talk over each other, so
19 when I'm done then you can answer.

20 A. (Witness nodding head yes.)

21 Q. If you don't know the answer, feel
22 free to say so, okay?

23 A. Yes.

24 Q. Can you tell me about your
25 educational background?

1 A. Graduate from Plainview High School.

2 Q. And what have you done for a living?

3 A. Farmed.

4 Q. Okay. And are you familiar with
5 Sunshine Ranch Co.?

6 A. Yes.

7 Q. How are you familiar with the
8 company?

9 A. Familiar with the company, my
10 grandpa, my grandma, and my dad, the bookwork
11 said 1965, December, and that's part of what
12 they put all of their assets together at the
13 time and formed that.

14 Q. And so your grandparents put their
15 assets into the company, I'll just call it
16 Sunshine?

17 A. Yes, and my dad.

18 Q. So, I'm handing you what we marked
19 as Exhibit 2, do you recognize that?

20 A. Yes.

21 Q. What is it?

22 A. It says Articles of Incorporation.

23 Q. For Sunshine?

24 A. For Sunshine Ranch Company.

25 Q. And is the corporation still in good

1 standing to your knowledge?

2 A. As far as I know.

3 Q. Are you an officer or director of
4 Sunshine?

5 A. President, officer.

6 Q. Are you also a director?

7 A. Not that I know of.

8 Q. Okay. How long have you been an
9 officer of Sunshine?

10 A. I don't know, probably sometime in
11 the '90s.

12 Q. When did you acquire your stock in
13 Sunshine?

14 A. 1966.

15 Q. How did you acquire it?

16 A. In that -- I always understood it
17 was 1966. I had not studied the corporate
18 book until just before I gave it to Phil. It
19 looked like the stock was in several different
20 increments along the way. I always understood
21 it was 1966, but looking at it, it looked like
22 some of it was 1970, some of it was different
23 dates it was given to me.

24 Q. Are there other current officers of
25 Sunshine?

1 A. Officers?

2 Q. Yeah, like a vice president,
3 secretary?

4 A. My dad is basically secretary,
5 treasurer, Sumner Alan Hall.

6 Q. Any other officers?

7 A. No.

8 Q. Who runs the company?

9 A. Doug, me.

10 Q. All right. Sir, I'm showing you
11 what we marked as Exhibit 3 and ask do you
12 recognize that document?

13 A. It says Bylaws.

14 Q. Are those the bylaws of Sunshine
15 Ranch?

16 A. As far as I know.

17 Q. The bylaws require an annual meeting
18 of shareholders. When's the last time the
19 shareholders had an annual meeting?

20 A. Probably a long time ago, several
21 years.

22 Q. More than five?

23 A. Probably.

24 Q. The bylaws also require three
25 directors. Do you know, are there directors

1 of the company?

2 A. I'm probably a director, my dad is
3 probably a director, I don't know of anybody
4 else.

5 Q. All right.

6 A. Even though I said I wasn't a
7 director. I don't study this thing, I haven't
8 looked at it.

9 Q. All right. Are you aware of any
10 restrictions on the pledge of stock in
11 Sunshine?

12 A. No.

13 Q. Does the corporation pay dividends?

14 A. No.

15 Q. Has it ever paid dividends, to your
16 knowledge?

17 A. No.

18 Q. Are you aware of any shareholder
19 agreements relating to the sale of stock by a
20 shareholder?

21 A. No.

22 Q. Are there any agreements amongst the
23 shareholders regarding a right of first
24 refusal?

25 A. Not that I know of unless it's in

1 here (indicating) .

2 Q. All right. Sir, I'm going to -- and
3 when you say 'here' you mean Exhibit 3, the
4 bylaws?

5 A. That's correct.

6 Q. Thank you. I'm handing you what we
7 marked as Exhibit 4. Do you recognize that
8 document?

9 A. Stock register, yes.

10 Q. For Sunshine?

11 A. It says for Sunshine Ranch Company,
12 stock ownership.

13 Q. All right. And you said earlier --
14 or you testified that you had looked at some
15 papers earlier that suggested that you had
16 acquired your stock over a period of time. Is
17 Exhibit 4 the document you were looking at?

18 A. I was actually looking at the stock
19 certificates in the back of the book.

20 Q. Okay.

21 A. Or the record of stock certificates.

22 Q. I think if you page through
23 Exhibit 4 you'll see the stock certificates
24 are attached.

25 A. Yes.

1 Q. So, do you know who the current
2 shareholders of Sunshine Ranch are?

3 A. Yes.

4 Q. Who are they?

5 A. Sumner Alan Hall, Douglas Alan Hall,
6 Lisa Ann Zuhlke, Kevin Bruce Hall, Kimberly
7 JoAnne Clark.

8 Q. All right. Do you know when Lisa
9 Zuhlke acquired her shares in the company?

10 A. She acquired shares, according to
11 this, December 30, 1965, was one deal for 600
12 shares. I would have to go through them all.

13 Q. But whatever Exhibit 4 would show
14 would be the dates that Lisa Zuhlke acquired
15 her shares?

16 A. That's correct.

17 Q. All right. I take it that, I hate
18 to call them your ancestors, but your parents'
19 grandparents gifted stock to the four
20 children, which would be Kevin, Kimberly,
21 Lisa, and you?

22 A. Yes.

23 Q. And they gifted in equal shares?

24 A. Yes.

25 Q. So, how many shares do you own

1 today, do you know?

2 A. 11 percent plus a 5 percent I bought
3 of my grandma's estate.

4 Q. Okay. And that would have been
5 Barbara Hall?

6 A. Barbara Louise Hall.

7 Q. So, roughly, 16 percent?

8 A. It might be 17 with the odd
9 fractions.

10 Q. Okay. Now Kevin, that is, is he
11 your brother?

12 A. Correct.

13 Q. Where does he live?

14 A. He lives in rural Louisville,
15 Nebraska.

16 Q. What's Kevin's involvement in the
17 corporation?

18 A. Nothing.

19 Q. And Kimberly, where does she live?

20 A. South of Plainview ten miles.

21 Q. What's her involvement in the
22 company?

23 A. Nothing.

24 Q. Lisa, what is her involvement in the
25 company?

1 A. Nothing.

2 Q. She doesn't sit on the board?

3 A. No.

4 Q. Does she sign any papers for the
5 company?

6 A. Can I elaborate just a little bit?

7 Q. Yes, sir.

8 A. She doesn't sign any papers for the
9 company, but every year she's required by the
10 FSA, Farm Service Agency, to sign a form that
11 says that she didn't make any more than
12 999,000 dollars.

13 MR. KELLY: I'm sorry, could you
14 repeat that, I couldn't hear.

15 A. Every year she's required by the
16 Farm Service Agency, FSA, to sign a form that
17 says she doesn't make over 999,000 dollars,
18 along with everybody else that's named on the
19 corporate register, ledger, whatever, that FSA
20 has.

21 Q. (Mr. Garden) Is that Antelope County
22 FSA office?

23 A. Yes.

24 Q. Thank you. Sir, I'm showing you
25 what we marked as Exhibit 5 and ask you to

1 identify that for the record.

2 A. Minutes of the First Meeting of
3 Shareholders of Sunshine Ranch Company.

4 Q. I will tell you that the document
5 that we marked as Exhibit 5 was produced to me
6 by your former lawyer. If you'd like to
7 review it, all I want to know is are these the
8 directors' minutes for Sunshine Ranch?

9 A. At the time, yes.

10 Q. All right. Oh, excuse me. I'm
11 sorry, Exhibit 5 is the shareholder minutes,
12 isn't it?

13 A. That's what I said before, Minutes
14 of First Meeting of Shareholders of Sunshine
15 Ranch Company.

16 Q. Okay. And you gave those to Mr. Ron
17 Temple; is that correct?

18 A. I gave Ron Temple the whole Sunshine
19 Ranch corporate book.

20 Q. Okay. And if he copied it
21 correctly, then we should have every minute of
22 shareholder meetings, shouldn't we?

23 A. Yes.

24 Q. Sir, I'm showing you what we've
25 marked as Exhibit 6.

1 MS. GOODMAN: I'm going to interject
2 an objection to foundation as to the prior
3 question.

4 Q. (Mr. Garden) Would you identify
5 Exhibit 6, please?

6 A. Says Directors' Minutes of Sunshine
7 Ranch First Meeting Board of Directors Waiver
8 of Notice.

9 Q. And, again, your former lawyer, Mr.
10 Temple, produced Exhibit 6 to us, you're aware
11 of that fact?

12 A. Yes.

13 Q. Okay. Are there any -- well, strike
14 that question.

15 Sir, I'm showing you what we marked
16 as Exhibit 7, and I will tell you I obtained
17 Exhibit 7 from the Antelope County Assessor's
18 Office. I have a simple question, does
19 Sunshine Ranch own the real estate that's
20 listed in Exhibit 7?

21 A. Yes, as far as I know without double
22 checking it.

23 Q. And I'm showing you what we've
24 marked as Exhibit 8 and I will say the same
25 thing, I obtained this from the Pierce County

1 Assessor's Office.

2 A. Yes.

3 Q. Does Sunshine Ranch own the real
4 estate on Exhibit 8?

5 A. Yes, as far as I know without double
6 checking.

7 Q. And, finally, I'm showing you what
8 we marked as Exhibit No. 9 which I obtained
9 from the Sheridan County Assessor's Office.
10 Does Sunshine Ranch have an interest in the
11 land on Exhibit 9?

12 A. (No response.)

13 Q. Which would be the Southwest Quarter
14 of 16-34-43.

15 A. I'm looking for the acres is what
16 I'm looking for.

17 Q. Okay, I'm sorry.

18 A. 160 acres, yes.

19 Q. And who is GJZ Land & Livestock?

20 A. It's initials for Gary, Jeremy Zak.

21 Q. Zak is their last name?

22 A. Zakrzewski, they call it Zak for
23 short.

24 Q. How would I spell Zakrzewski?

25 A. Z-a-k-a -- help me out. It's like

1 the --

2 Q. Fumblerooski?

3 A. Yep.

4 Q. Okay. That's how we'll go for
5 today. What's the relationship between
6 Sunshine and I'm just going to call it GJZ
7 Land?

8 A. The relationship is this Gary Zak,
9 Zakrzewski, basically found us through another
10 guy in 1988 and he wanted to buy a ranch north
11 of Clinton, Nebraska. And somehow in the
12 whole transition, this one little parcel ended
13 up being Sunshine Ranch and his.

14 Q. So, is it jointly owned?

15 A. 50/50.

16 Q. All right. So, other than the real
17 estate we've looked at in Exhibit 6, 7 and
18 8 -- or excuse me, 7, 8 and 9, does Sunshine
19 own any other land?

20 A. I produced the stuff to her
21 (indicting to Ms. Goodman). You guys have
22 seen this, you got it off the county. I don't
23 know of any other land without researching it.

24 Q. Has Sunshine sold any land in the
25 last four years?

1 A. No.

2 Q. Sir, I'm showing you what we marked
3 as Exhibit 10. Do you recognize that?

4 A. I do as a balance sheet for Sunshine
5 Ranch Company from Farm Credit Services of
6 America.

7 Q. Do you know who prepared the balance
8 sheet?

9 A. Me, Doug Hall and Kirk Koinzan, the
10 loan officer.

11 Q. And where is he at?

12 A. He works out of the Norfolk Farm
13 Credit office.

14 Q. That balance sheet is dated
15 February 3, 2025, isn't it?

16 A. It says February 3rd, 2025.

17 Q. All right. And at the time did it
18 accurately reflect the assets and liabilities
19 of Sunshine?

20 A. I sat down with him that day and --
21 yes.

22 Q. Okay. So, the balance sheet lists
23 an entity ACP, LLC. What is ACP?

24 A. A sow farm, basically comprised of
25 two sow farms now.

1 Q. What's the relationship between
2 Sunshine and ACP?

3 A. Sunshine Ranch owns some or roughly
4 47 percent of ACP.

5 Q. And does Sunshine loan money to ACP?

6 A. We have.

7 Q. Exhibit 10 would show a note
8 receivable of nearly 6.2 million?

9 A. Yep. Yes.

10 Q. All right. Do you expect to collect
11 those funds from ACP?

12 A. Yes.

13 Q. Are they making payments to
14 Sunshine?

15 A. Haven't made any payment yet.

16 Q. Okay. The machinery and equipment
17 and vehicles are listed in Exhibit 10, how
18 were those valued? Are those cost less
19 depreciation or are they fair market, if you
20 know?

21 A. I think it's probably cost minus
22 depreciation.

23 MR. KELLY: I'm sorry, I can't
24 understand you.

25 A. Cost minus depreciation.

1 MR. KELLY: Thank you.

2 Q. (Mr. Garden) And then would that
3 also be true for the buildings and
4 improvements in Exhibit 10?

5 A. I haven't got to them yet.

6 Q. Okay.

7 A. I guess I don't see them for some
8 reason.

9 Q. Let's see.

10 A. Right there (indicating). Yes.

11 Q. Now, it appears to me that Sunshine
12 owns roughly 4,690 acres of farmland, does
13 that sound correct?

14 MS. GOODMAN: I'm sorry, can you
15 repeat the -- what number did you have?

16 MR. GARDEN: That was Exhibit 10
17 that we're still on.

18 MS. GOODMAN: Okay. No, the number
19 that you stated for the acres.

20 MR. GARDEN: Oh, I'm sorry.

21 Q. (Mr. Garden) 4,689 acres is what my
22 math would show, does that seem about --

23 A. Farmland and pasture.

24 Q. Okay. How much of that is pasture,
25 roughly?

1 A. Half.

2 Q. And the other half is farmland?

3 A. Yes.

4 Q. How much of that farmland then is
5 irrigated?

6 A. Most of it.

7 Q. All right. How much roughly of
8 dryland cropland does Sunshine own?

9 A. 300 acres.

10 Q. Okay. Have you had any of this land
11 appraised lately?

12 A. No.

13 Q. So how do you value it on the
14 financial statement that we marked as
15 Exhibit 10?

16 A. I didn't do the value, we just --
17 the banker uses a number and it hasn't been
18 changed for quite awhile.

19 Q. All right. So, that's the banker's
20 number?

21 A. (Witness nodding head yes.)

22 Q. There's a property called the
23 Coulter 20, C-o-u-l-t-e-r 20, with buildings,
24 what is that?

25 A. It's a piece of property that I

1 1031'd when we sold a place east of Brunswick,
2 Nebraska two miles and we did 20 acres out of
3 a bigger chunk of real estate that me and my
4 wife bought.

5 Q. Okay. So, if you could go through
6 kind of the transaction.

7 A. Transaction after the 1031?

8 Q. Well, how did Sunshine acquire the
9 Coulter land?

10 A. They owned the property east of
11 Brunswick, we sold it, acquired the 20 acres
12 there, my wife and I acquired the rest of the
13 real estate around there. And probably about
14 a year or two ago I asked all the other
15 shareholders if they would agree if I could
16 buy that because I had sold another piece and
17 I wanted to 1031 that, and that's what I did.
18 So, my wife and I own that now, I think I paid
19 \$166,000 for it.

20 Q. So you now own the Coulter 20?

21 A. That's correct.

22 Q. And the other shareholders, that
23 would have been your siblings and your father?

24 A. That's correct.

25 Q. Was there like a written consent?

1 A. Yes, there was.

2 Q. And what is the Scott Clark
3 240 acres?

4 A. That's where my sister Kim and her
5 husband Scott Clark live, owned by Sunshine
6 Ranch.

7 Q. What is the NECC house? I'm just
8 trying to get an idea of what these things are
9 on the balance sheet.

10 A. Oh, Northeast Technical Community
11 College house.

12 Q. All right. And Sunshine acquired
13 that?

14 A. Yes.

15 Q. When?

16 A. Last fall.

17 Q. And what's -- why did it buy a
18 house?

19 A. It bought a house so that I would
20 have somebody to help watch the livestock and
21 the farm.

22 Q. Do you have, like, a hired man
23 living there?

24 A. There's nobody living there today,
25 they're pouring a basement concrete -- or the

1 garage concrete today, my daughter and
2 son-in-law plan on moving in there.

3 Q. And what's your daughter's name?

4 A. Morgan.

5 Q. Morgan?

6 A. Yep.

7 Q. What's her last name?

8 A. Penlicker, P-e-n-l-i-c-k-e-r.

9 Q. The balance sheet lists ACP as
10 having a negative value, why is that?

11 A. Do you want the long form or the
12 short form?

13 Q. Just the honest form, the truthful
14 form.

15 A. The truthful form is after 2020, the
16 hog business hadn't been very good.

17 Q. And so the negative value takes into
18 account the debt that it has?

19 A. The debt that it has and trying to
20 sell hog buildings.

21 Q. All right. Do you borrow money from
22 Sunshine?

23 A. I have.

24 Q. And are those evidenced by
25 promissory notes?

1 A. Yes.

2 Q. Where would those notes be?

3 A. In the income tax form.

4 Q. All right. Do you make payments on
5 the loans?

6 A. I haven't made any.

7 Q. When did you incur the debt?

8 A. I guess to explain it a little bit.

9 Q. You bet.

10 A. The accountant when I wrote a check
11 to something that looked maybe like I was
12 borrowing money, he just said it was Doug Hall
13 borrowed this money. I had a niece that got
14 cancer, they had a fundraiser for it and I
15 went to the fundraiser, I spent \$7,000 to help
16 raise money for that, and he said Doug Hall's
17 debt. I had another sister got in trouble,
18 went to jail, spent \$30,000 on attorney fees
19 with her, the accountant said Doug Hall's
20 debt. Several other little things along the
21 way, plus, um, I'd have to look to see what
22 all the items were, but it just -- it was
23 called Doug Hall's debt, and that's the way it
24 stayed.

25 Q. Who was the accountant that made

1 these recommendations?

2 A. Bernie Auten.

3 Q. And is he in Norfolk?

4 A. Correct.

5 Q. And so I take it, like, the
6 fundraiser expenditure, you wrote a check on
7 Sunshine for that?

8 A. Yes.

9 Q. And the same would be true of your
10 sister that you paid -- or you incurred
11 \$30,000 expense for?

12 A. As far as I remember.

13 Q. Was that for attorney's fees?

14 A. There was \$30,000 in attorney's
15 fees.

16 Q. All right. There's an entry that
17 intrigues me Bitcoin Bernie, what is that?

18 A. Sometimes your accountant's
19 recommendation is not what you should do.

20 Q. Okay.

21 A. He wanted to get in the Bitcoin deal
22 and he had other partners and I put some money
23 in it.

24 Q. So did Sunshine put money into a
25 Bitcoin investment?

1 A. In Bernie's own company, he had a
2 company he formed.

3 Q. Does Sunshine own the Bitcoin or
4 does it own interest in Bernie's company?

5 A. Own interest in Bernie's company.

6 Q. About how much?

7 A. I don't know.

8 Q. We'd have to ask him?

9 A. (No response.)

10 Q. What is AND, A-N-D, Co.?

11 A. Let me see where you're asking.

12 Q. Well. . .

13 A. Did you get way past exhibits?

14 Q. No, I'm still going through
15 Exhibit 10, it shows an investment in -- okay,
16 I'm referring to page 4 of Exhibit 10, other
17 investments, and it says A-N-D Co., 100
18 shares?

19 A. If you look at it, it's right above
20 Bowdish Soybean Plant, so we just as well
21 answer that question right now.

22 Q. All right, so they're one in the
23 same?

24 A. I'm going to explain, if I may.

25 Q. That would be great.

1 A. Sunshine Ranch bought one share of
2 Bowdish stock. My accountant along with a
3 couple other people said they wanted another
4 person in their partnership to buy one share,
5 so I put in 100,000, and that is the name of
6 their company, but it actually is in the
7 Bowdish Nebraska crush plant.

8 Q. Okay. So, that I understand this,
9 there are three shareholders in AND Co.?

10 A. I don't know who they are.

11 Q. Okay. But your accountant and
12 Sunshine, correct?

13 A. Accountant and Sunshine, I know
14 that.

15 Q. All right. And you don't know who
16 else is there?

17 A. I understand the Dinkels put some
18 money in there.

19 Q. Dingels?

20 A. Dinkels, Dinkel Implement in
21 Norfolk.

22 Q. All right.

23 A. One of the Dinkels, I don't know
24 which one.

25 Q. How did you arrive at a value of

1 100,000 for your investment in AND Co.?

2 A. That was the money put in.

3 Q. Does it pay dividends?

4 A. It just started last year. The
5 grand opening is the end of May.

6 Q. Of '24?

7 A. '25. That is what they call their
8 grand opening, they have been crushing beans
9 since September or October.

10 Q. So, Bowdish is really referring to
11 the Norfolk Crush entity?

12 A. That's correct.

13 Q. And Nick Bowdish was the organizer,
14 correct?

15 A. Yes.

16 Q. Did Sunshine invest 250,000 in
17 Norfolk Crush?

18 A. Yes.

19 Q. Has it paid any dividends?

20 A. No.

21 Q. Who made the decision to invest in
22 Norfolk Crush?

23 A. Doug.

24 Q. And the same would be true of AND
25 Co.?

1 A. Doug.

2 Q. How does this benefit Sunshine?

3 A. I feed pigs. Right now pigs eat
4 soybean meal and corn. Right now until this
5 plant came in, the people that grind my feed,
6 they haul beans or train beans to Sioux City
7 and haul bean meal back to feed the pigs.
8 It's 90 miles one way. Norfolk Crush crushes
9 beans, it's less than half the distance.

10 Q. So presumably there will be a cost
11 savings?

12 A. Yes.

13 Q. All right. So, I'm going to hand
14 you what we marked as Exhibit 11 and ask you
15 to identify that.

16 A. This is RCU annual fee to 3/5 of
17 '24, Sunshine Ranch Company Balance Sheet
18 Summary.

19 Q. Was that prepared, again, by you and
20 the loan officer at Farm Credit?

21 A. He probably did this after he got my
22 information and we sat down, he probably sent
23 it off to Omaha because I don't know what RCU
24 stands for.

25 Q. Okay. So, as we sit here today, how

1 much does Sunshine owe Farm Credit?

2 A. (No response.)

3 Q. Well, let me back up a little bit.

4 Does Sunshine have an operating loan with Farm
5 Credit?

6 A. Yes.

7 Q. About how much is owed on that
8 today?

9 A. I'm trying to look here.

10 Q. We probably want to look at 11.

11 A. That's what I was thinking.

12 Q. Or 10, I mean.

13 A. (Witness so doing.) It says total
14 liabilities 1.396 million.

15 Q. Operating loans increase and
16 decrease, don't they?

17 A. At Farm Credit -- yes.

18 Q. I mean, is this a revolving line of
19 credit where you can draw and pay back and
20 draw again?

21 A. You have a cap that you can draw up
22 to.

23 Q. And do you know what your cap is at
24 Farm Credit?

25 A. I don't know what it is right now.

1 Q. Other than Farm Credit does Sunshine
2 Ranch owe anybody else money?

3 A. There is some land payments left,
4 and when I said what we owe Farm Credit, total
5 liabilities 1.3, but that is not what the
6 balance is. The FCS America operating loan
7 is 1.195662.

8 Q. As of the date of Exhibit 10,
9 correct?

10 A. That's correct.

11 Q. So, you -- Sunshine has some land
12 debt, approximately how much would be owed on
13 the land debt, the unpaid principal?

14 A. On the -- it probably says right
15 here somewhere. The Kim and Scott place,
16 there's some money owed on it. Accounts
17 receivable has ACP, assets -- it says current
18 liabilities, accounts payable are no accounts
19 payable. Loans are revolving FCS America,
20 last four digits are 1557. Commitment was 1.6
21 million, maturity at 3/1/25. Total principal
22 786,602. Other operating loans, there are no
23 other operating loans. Term loans, real
24 estate, total principal 68,400. Other term
25 loans, related party Sumner Hall, 25,000.

1 Total principal 50,000.

2 Q. So, Exhibit 10 would seem to
3 indicate that the total debt owed by Sunshine
4 as of February 3 of 2025, was a 1,644,562. Do
5 you see that on page 5, it says all total
6 loans?

7 A. (No response.)

8 Q. Right here (indicating).

9 A. I got a million six. I don't know
10 where the 45 -- yep.

11 Q. Are you aware of any other debt that
12 Sunshine owes to people that is not listed in
13 Exhibit 10?

14 A. No.

15 Q. Do you own an interest in ACP, LLC?

16 A. Yes.

17 Q. How much do you own?

18 A. Somewhere in the 30 percent range,
19 me and my wife.

20 Q. And that would be 30 percent for you
21 and your wife?

22 A. (Witness nodding head yes.) Total.

23 Q. I should have asked you, what's your
24 wife's name?

25 A. Linda Luann.

1 Q. So, what is the relationship between
2 Sunshine and ACP?

3 A. Probably if you look on Exhibit 10
4 it tells you how much of ACP that Sunshine
5 Ranch owns. 47 percent -- 49.661 percent of
6 ACP, LLC.

7 Q. And what does -- why does Sunshine
8 own 49 percent of ACP?

9 A. In about 1995 a representative of
10 Sands Systems, i.e. Chuck Sands, came to me
11 and my dad, Sumner Hall and said they were
12 looking for property to put a hog farm on.
13 Little bekownst to me they had already
14 figured out where they wanted to put it.

15 Q. All right.

16 A. And the representative spent some
17 time with me. And finally I asked him why are
18 you talking to me, and he said we can see you
19 have some remote locations where you own land,
20 meaning there isn't people around there, or
21 houses, or churches, or cemeteries, and you
22 guys are already in livestock, which we were
23 in cattle, and you're spreading a lot of
24 chicken shit, so you're really not too scared
25 of what it smells like. We sold them two

1 pieces of property, and -- that's a lie,
2 Sunshine Ranch sold them one piece, my wife
3 and I sold them another piece where the
4 nursery was, they started to build. We had 10
5 percent ownership.

6 In 2002 Sands tried to buy all
7 these other entities out, i.e. Chuck Sands.
8 We had a meeting, shareholders meeting, and
9 ACP did not get bought out, the original
10 partners were still ACP. In 2004 the place
11 was now called Furnas County Farms, filed for
12 bankruptcy, front page of the Omaha World
13 Herald about May 12th or 19th. At that time
14 we decided that the only way we was ever going
15 to get control of this thing was buy some more
16 of the shares out. So, even though we weren't
17 Furnas County Farms, Chuck Sands and two other
18 of the partners showed a big loss in Furnas
19 County Farms and they came to me and said,
20 hey, our accountant says if you can sell
21 anything it would go against your loss, and I
22 bought three other partners out, Sunshine
23 Ranch ended up with 49 percent of it.

24 Q. Okay. So, Sunshine Ranch bought the
25 other three partners out, correct?

1 A. And my wife and I bought some of it.

2 Q. All right. Sir, I'm showing you
3 what we've marked as Exhibit 12. Do you
4 recognize that document?

5 A. Yes, Articles of Organization ACP,
6 LLC.

7 Q. And that's the entity we've been
8 discussing, the hog farming operation?

9 A. Correct.

10 Q. Sir, I'm showing you what we marked
11 as Exhibit 13. Do you recognize that
12 document?

13 A. Operating Agreement ACP, LLC.

14 Q. And, again, this is the hog farming
15 operation that Sunshine has an interest in?

16 A. Yes.

17 Q. I'm showing what we marked as
18 Exhibit 14. Do you recognize that document?

19 A. Articles of Merger of ACP and
20 Nebraska General Partnership with and into
21 ACP, LLC.

22 Q. Were you a general partner of ACP,
23 the Nebraska General Partnership?

24 A. At the state?

25 Q. Yes, sir.

1 A. Yes.

2 Q. And did the general partnership get
3 merged into the LLC?

4 A. Yes.

5 Q. Why was -- tell me why that
6 transaction occurred, is that a way to move
7 land into the LLC?

8 A. (No response.)

9 Q. I realize that occurred in 2008.

10 A. It seems like when you buy something
11 else, i.e., shares of another company, there's
12 always a trail of stuff that is going to other
13 partners trying to get the thing cleaned up
14 plus trying to separate it out by itself as a
15 new entity. Even though it was bought in
16 2004, it was suggested I form an LLC, and I
17 did.

18 Q. Okay. So, did the general
19 partnership have assets when it was merged
20 into the LLC?

21 A. Everything that ACP had, yes.

22 Q. So it had hog buildings and hogs?

23 A. Yes.

24 Q. All right. Sir, I'm showing you
25 what we marked as Exhibit 15. Could you

1 identify that, please?

2 A. ACP, LLC Balance Sheet as of
3 October 31st. Can't tell what the date is.

4 Q. Do you know who prepared the balance
5 sheet?

6 A. Swine Management Services out of
7 Fremont, Nebraska, i.e., got bought out by
8 MetaFarms.

9 Q. All right. Did you assist in the
10 preparation of Exhibit 15?

11 A. Just supplied the information.

12 Q. Did you have to sit down with the
13 accountant in Columbus?

14 A. It's not an accountant, it's a
15 record keeping service.

16 Q. Okay. You give them the information
17 and then they put it into the format of
18 Exhibit 15?

19 A. Yes.

20 Q. Exhibit 15 would show that there are
21 long term note liabilities aggregating
22 9.6 million dollars that are entered by ACP.
23 Do you know who those are owed to?

24 A. Some of it is to Tractor Ranch, some
25 of it is to Sunshine Ranch.

1 Q. And Sunshine is owed about
2 6.2 million, correct?

3 A. Correct.

4 Q. There was a three and a half million
5 dollar capital contribution to ACP in 2023.
6 Do you know who made that contribution?

7 A. Sunshine Ranch and maybe Tractor
8 Ranch.

9 Q. What was contributed?

10 A. Cash.

11 Q. And why did Sunshine do that?

12 A. Keep the hog farm afloat.

13 Q. What is the relationship between
14 Sunshine and Tractor Ranch?

15 A. My wife and I own Tractor Ranch.

16 Q. Is that an entity?

17 A. Tractor Ranch, Inc., yes.

18 Q. Are there any other shareholders in
19 Tractor Ranch, Inc.?

20 A. No.

21 Q. Was any of the cash that Sunshine
22 and Tractor Ranch put into ACP used to pay off
23 bank debt?

24 A. It was to go into the operating
25 loan. It was to buy two new roofs for hog

1 buildings. It was to buy new equipment for
2 the farrowing barn.

3 Q. To upgrade the operation?

4 A. Yes.

5 Q. Sir, I'm showing you what we marked
6 as Exhibit 16. And I will tell you even
7 though we've stapled them together there are
8 two real estate tax statements from Webster
9 County, Iowa. Do you recognize those?

10 A. Yes.

11 Q. So on page 1 of Exhibit 16, what is
12 that approximately 25 acres in Webster County?

13 A. Sow farm.

14 Q. And then on page 2, what is that?

15 A. Sow farm.

16 Q. All right. And that's owned by Sun
17 -- or excuse me, by ACP, correct?

18 A. Correct.

19 Q. Sir, I'm showing you what we marked
20 as Exhibit 17. Do you recognize that?

21 A. Yes.

22 Q. And, again, it's two documents?

23 A. Yes.

24 Q. So, what is the real estate in the
25 two documents that we marked as Exhibit 17?

1 A. It's the land that the sow farm, the
2 buildings set on, and a lagoon.

3 Q. About how many acres would that be?

4 A. You just quoted it.

5 Q. Oh, so it's the 25 acres?

6 A. Yes.

7 Q. All right. Did ACP acquire that
8 property for 2.45 million dollars, do you
9 know?

10 A. The asking price and what I paid for
11 it was three and a half million.

12 Q. Okay. So ACP paid 3.5 million?

13 A. (Witness nodding head yes.)

14 Q. When did that occur?

15 A. 2021, maybe.

16 Q. And you nodded your head 'yes' to my
17 prior question.

18 A. Repeat your prior question.

19 Q. Is it true that ACP paid three and a
20 half million dollars to acquire the real
21 estate identified in Exhibit 17?

22 A. Yes.

23 Q. And then showing you what we marked
24 as Exhibit 18. Do you recognize that
25 document?

1 A. Basically Antelope County Assessor
2 Parcel Information.

3 Q. Would Exhibit 18 show the assessed
4 value of an ACP hog facility in Antelope
5 County?

6 A. Yes.

7 Q. When did ACP acquire that land and
8 facility?

9 A. Going back to my further -- prior
10 information about 1995 that he approached us.
11 ACP was formed by Sands Systems, i.e. Chuck
12 Sands, it's built on our place.

13 Q. Okay. So, this is -- Exhibit 18
14 would be the original ACP hog farm that you
15 testified to earlier?

16 A. Yes.

17 Q. All right. What did ACP pay to
18 acquire that land?

19 A. Do you want a wild-ass guess?

20 Q. If you don't know.

21 A. I don't know, but I can tell you
22 they didn't pay any more than pasture value
23 for the land.

24 Q. Whatever the pasture value was back
25 then?

1 A. Yes.

2 Q. Sir, I'm handing you what we marked
3 as Exhibit 19. Do you recognize that
4 document?

5 A. Corporate Warranty Deed, yes.

6 Q. Is Exhibit 19 the deed from Sunshine
7 to ACP for the Antelope County hog facility?

8 A. Yes.

9 Q. Sir, I'm showing you what we marked
10 as Exhibit 20. Do you recognize that
11 document?

12 A. Pierce County Assessor, yes.

13 Q. And, again, that's for property
14 owned by ACP?

15 A. Yes.

16 Q. Approximately 11 and a half acres in
17 Pierce County?

18 A. Yes.

19 Q. What does ACP use this land for?

20 A. It has two nursery buildings on it
21 and one house.

22 Q. Who lives in the house?

23 A. No one.

24 Q. That could be a hired man's house?

25 A. Yes.

1 Q. Are you aware of any other property
2 owned by ACP other than the property in Iowa,
3 the swine facility, and this nursery facility?

4 A. No.

5 Q. Sir, I'm showing you what we marked
6 as Exhibit 21. Could you identify those -- or
7 that exhibit for me?

8 A. Yes.

9 Q. And what is it?

10 A. Sunshine Ranch Company,
11 Incorporated, Form 8879 for income tax.

12 Q. Would that be Sunshine's year 2022
13 federal tax returns and accountant transmittal
14 papers?

15 A. Yes.

16 Q. Has Sunshine filed a tax return for
17 2023?

18 A. No.

19 Q. Is there a reason why it has not?

20 A. I need to back up. For 2023?

21 Q. Yes, sir.

22 A. Yes, they have.

23 Q. Okay.

24 MR. GARDEN: Is that something --

25 MS. GOODMAN: I have it.

1 MR. GARDEN: Okay.

2 MS. GOODMAN: Yeah.

3 A. I was going to say she should have
4 got it as an e-mail two weeks ago. I stopped
5 in there last Friday, I told them to resend it
6 to her, so she has it.

7 Q. (Mr. Garden) All right.

8 MR. GARDEN: Lauren, would you share
9 that with me?

10 MS. GOODMAN: I will, absolutely.

11 MR. GARDEN: Thank you.

12 Q. (Mr. Garden) Is there a relationship
13 between Husker Ag Processing and Sunshine
14 Ranch?

15 A. At one time Husker Ag had shares
16 that were owned by Sunshine Ranch.

17 Q. Sunshine owned part of Husker Ag?

18 A. Some shares in Husker Ag, yes.

19 Q. Does Sunshine continue to own any
20 stock in Husker Ag?

21 A. No.

22 Q. Husker Ag was a --

23 A. Ethanol producing, corn grinding
24 plant east of Plainview.

25 Q. Did it fail?

1 A. No.

2 Q. Why did Sunshine sell its shares in
3 Husker Ag?

4 A. I don't know.

5 Q. Okay. Sir, I'm showing you what we
6 marked as Exhibit 22 and ask you do you
7 recognize that?

8 A. Sunshine Ranch Company General
9 Ledger as of August 31st, 2022.

10 Q. So, do you know who prepared the
11 original of this general ledger?

12 A. My guess is Bernie Auten.

13 Q. Do you provide the information to
14 Mr. Auten for the general ledger?

15 A. Yes.

16 Q. And do you believe this to be
17 accurate?

18 A. Yes.

19 Q. Who's Jennifer Thompson?

20 A. Jennifer Thompson was a secretary
21 turned into manager for a company called
22 Sidump'r that built side dump trailers in
23 Plainview, Nebraska.

24 Q. Why did Jennifer Thompson owe
25 Sunshine money?

1 A. If I remember right -- I don't even
2 know what date it was.

3 Q. That's on page 5 of Exhibit 22,
4 there are -- it shows an account receivable
5 Jennifer Thompson.

6 A. Page 5, line 2. I'm on page 5.

7 Q. Well, let's see. Let me see if I
8 can't -- okay, reading upside down is not my
9 forte. Here we go.

10 MS. GOODMAN: What page is that on?

11 A. Page 5.

12 MS. GOODMAN: Page 5.

13 Q. (Mr. Garden) It says AR Jennifer
14 Thompson.

15 A. I think she asked for a loan.

16 Q. Okay. Also on that page is a
17 receivable 'brother', who would the brother
18 be?

19 A. I'm trying to find that, too.

20 Q. Here.

21 MS. GOODMAN: Down at the bottom.

22 Q. (Mr. Garden) Yeah, there we go.
23 Very last entry.

24 A. 10,530, I don't know. It looks like
25 that's above that, though, so it must be on

1 the next page. 10,530, I don't know.

2 Q. You don't know who the brother is?

3 A. (Witness shaking head no.)

4 Q. Did Sunshine loan some money to one
5 of your siblings?

6 A. Maybe.

7 Q. Okay. Page 6 of Exhibit 22 shows a
8 note receivable, Morgan and Katelyn Hall, are
9 those your children?

10 A. Yes.

11 Q. And did Sunshine lend money to your
12 children?

13 A. Yes.

14 Q. Why?

15 A. We bought a feedlot south of
16 Plainview, Sunshine got everything on top of
17 the ground and the daughters got everything
18 below the ground, everything on the land, and
19 they didn't have the money so they borrowed
20 the money and they've been making payments.

21 Q. So, the feedlot, Sunshine owns the
22 improvements?

23 A. That's correct.

24 Q. And your daughters own the real
25 estate?

1 A. Correct.

2 Q. Is Sunshine feeding cattle there?

3 A. No.

4 Q. Does somebody else?

5 A. Not now.

6 Q. Is the feedlot in operation?

7 A. If there's no cattle there it's not
8 in operation.

9 Q. Sir, I'm showing you what we marked
10 as Exhibit 23, would you identify that,
11 please?

12 A. Sunshine Ranch Company General
13 Ledger as of August 31st, 2023.

14 Q. Who prepared it?

15 A. Bernie Auten.

16 Q. Who provided Mr. Auten with the
17 information for Exhibit 23?

18 A. Me and the bank.

19 Q. Be Farm Credit?

20 A. And Brunswick State Bank.

21 Q. I note on page 11 Sunshine made a
22 payment to James Meuret. Is James one of
23 Sunshine's lawyers?

24 A. Yes.

25 Q. What kind of work does James do for

1 Sunshine?

2 A. It has a reference there that says
3 'pipeline'.

4 Q. So, did that have something to do
5 with the Keystone Pipeline?

6 A. No, the carbon pipeline.

7 Q. Okay. And what services did
8 Mr. Meuret provide to Sunshine?

9 A. He negotiated a price for them to
10 get an easement to go across Sunshine Ranch's
11 land.

12 Q. All right. Do you know who
13 Christian Zuhlke is?

14 A. Yes.

15 Q. Who is he?

16 A. He's an adopted son of Lisa and
17 Alden Zuhlke.

18 Q. Do you know was Christian Zuhlke
19 involved in Alden and Lisa's farm operation?

20 A. Yes.

21 Q. How was he involved?

22 MS. GOODMAN: Objection, foundation.

23 Q. (Mr. Garden) You can go ahead and
24 answer. How was Christian involved in the
25 Zuhlkes' farming operation?

1 A. He was adopted as a younger boy.

2 Q. Yes, sir.

3 A. Ran around with his bare feet in the
4 pig shit and then grew into scooping shit and
5 maybe doing other things.

6 Q. All right. So, labor?

7 A. As far as I know.

8 Q. Do you know where Christian Zuhlke
9 lives today?

10 A. I have an address.

11 Q. Would that be the 1811 Tillery
12 Street in Austin, Texas?

13 A. As far as I know.

14 Q. What do you know about the house
15 that Mr. Zuhlke, Christian, lives in?

16 A. Just know who it says it's owned by.

17 Q. Do you know who it's owned by?

18 A. It says somebody that has something
19 to do with RAI.

20 Q. RAI, LLC?

21 A. Yes.

22 Q. Do you know anything about RAI, LLC?

23 A. Nothing except what you can read on
24 the internet.

25 Q. Was Christian to your -- well, do

1 you know was Christian a farm manager for an
2 entity known as Diamond Z Farms?

3 A. That's what his resume says.

4 Q. Would that be something you also
5 read on the internet?

6 A. Yep.

7 Q. Do you know what Diamond Z Farms is?

8 A. Yes.

9 Q. What is it?

10 A. Diamond Z Farms evolved from Lazy Z
11 Farms, and entity that Lisa and Alden Zuhlke
12 were in charge of or owned. Lazy Z started
13 with two other brothers and they split off
14 quite a few years ago.

15 Q. Two other brothers of Alden's?

16 A. Yes.

17 Q. And do you know their names?

18 A. Jerry Zuhlke and Eugene Zuhlke.

19 Q. Now, I want to focus -- we've talked
20 an awful lot about Sunshine, I want to talk
21 about Lisa and Alden Zuhlke. Did you ever
22 talk to Lisa or Alden about her ownership in
23 Sunshine Ranch?

24 A. Yes.

25 Q. When?

1 A. Probably mid June of 2024 the
2 subject came up.

3 Q. Where were you?

4 A. I was in the Sidump'r building in
5 Plainview.

6 Q. And who all was present?

7 A. She brought my dad in, they saw the
8 doors open, I was in there with Randy Golden,
9 the previous owner of Sidump'r hooking up an
10 air compressor. Randy Golden and my dad
11 walked off and Lisa was standing there beside
12 me and that's when it came up.

13 Q. So only you and Lisa were present
14 during this conversation?

15 A. Yes.

16 Q. What did the two of you discuss?

17 A. I asked, 'What is your plan?', and
18 she goes, 'I don't know what you're talking
19 about.' And I said, 'Lisa, we've been
20 watching this thing for a year and a half, I'm
21 concerned. What are you concerned about?' I
22 said, 'We've been reading this stuff,' and at
23 one point it said she lied. I said, 'It
24 didn't say Lisa lied, it said 'she lied', I
25 assume it was you. What do you mean, Doug?'

1 I said, 'I saw what you guys filed. When you
2 filed for bankruptcy, your assets, you didn't
3 mention Sunshine Ranch, that you owned some of
4 that.' She said, 'I was trying to keep them
5 out of it.'

6 Q. So, I take it that this June of 2024
7 conversation, you knew that Lisa and Alden had
8 not listed their ownership in Sunshine --
9 listed her ownership in Sunshine Ranch in the
10 bankruptcy papers?

11 MS. GOODMAN: Object to form.

12 A. Yes.

13 Q. (Mr. Garden) How did you know that?

14 A. It's in the box over there, it's
15 public information (indicating).

16 Q. Something that was filed with the
17 bankruptcy court?

18 A. Yes.

19 Q. How did you find those papers that
20 showed that they had not listed Lisa's
21 ownership in Sunshine?

22 A. You could subscribe, pay some money
23 to get public information. I did not do it,
24 somebody else did.

25 Q. Somebody else gave you the

1 bankruptcy papers?

2 A. Yes.

3 Q. And so when you confronted Lisa
4 Zuhlke in June of 2024, she told you she was
5 trying to keep them out of it?

6 A. Yes.

7 Q. What did you understand that to
8 mean?

9 MS. GOODMAN: Objection, foundation.

10 Q. (Mr. Garden) You can go ahead and
11 answer.

12 A. That's a tough one. I didn't know
13 how to take it.

14 Q. Did you have any follow-up questions
15 of her?

16 A. No. About that time my dad and
17 Randy Golden came back and they walked off.

18 Q. Okay. Other than this conversation
19 in June of 2024 with Lisa Zuhlke, have you had
20 any subsequent conversations with either Alden
21 or Lisa concerning their ownership in
22 Sunshine?

23 A. Yes.

24 Q. When would that have occurred?

25 A. Maybe about two months later, maybe.

1 I don't know for sure. I wasn't keeping a
2 time clock on it.

3 Q. Roughly, August of 2024?

4 A. Probably.

5 Q. Who did you talk to at that point?

6 A. I met Lisa after I called her out in
7 her front lawn in her driveway in front of her
8 house.

9 Q. All right. Then what did the two of
10 you discuss?

11 A. Basically, 'Do you have a plan?'
12 And it seemed like it was -- I have a lot of
13 words for it, but I can't say them right now,
14 but it was, like, not really. And I said,
15 'That piece of ground right over there', and I
16 was standing in her driveway, I said 'Meurets
17 want that piece of ground so bad they can
18 taste it, you better figure out a plan.'

19 Q. What ground were you referring to?

20 A. The ground right across the road
21 from their place that right now is in the
22 Court case that you guys are fighting these
23 two boys that are sitting in the audience
24 about (indicating).

25 Q. Okay. So, it's ground that was sold

1 to either Derek or Dillan?

2 A. Yep.

3 Q. What specifically in this August of
4 '24 discussion with Lisa related to Sunshine
5 Ranch?

6 A. I am a doer.

7 Q. Okay.

8 A. I try to figure out what my options
9 are. I wanted to know if they had a plan or
10 if there was any way that we could work
11 something out to get them out of the mess that
12 they were in. I am owner in Sunshine Ranch,
13 she was owner in Sunshine Ranch. I thought
14 that me being there and talking to her had
15 some relevance to what was going on. And
16 believe me after this pile (indicating), I
17 think I was right.

18 Q. Did you specifically mention
19 Sunshine Ranch stock in your August
20 conversation with Lisa?

21 A. I probably did, but I can't remember
22 if I specifically did.

23 Q. What do you recall about that part
24 of the conversation?

25 A. It was after I had met their

1 attorney at Antelope County Court, after I had
2 heard that they had a family meeting, after I
3 had heard that their attorney had quit, their
4 bankruptcy attorney had quit, after I had
5 heard that they disclosed Sunshine Ranch that
6 she owned 11 percent of it. That did not
7 answer your question, but it probably had
8 something to do with, 'Do you have a plan?'

9 Q. All right. So, as of your
10 conversation with Lisa in June of 2024 at the
11 Sidump'r --

12 A. Yes.

13 Q. -- did you mention her ownership in
14 Sunshine Ranch?

15 MS. GOODMAN: Objection, form.

16 A. In June?

17 Q. (Mr. Garden) Yes, sir.

18 A. Yes, I said, 'Your bankruptcy deal
19 did not show Sunshine Ranch.' She said, 'I'm
20 trying to keep them out of it.'

21 Q. All right. And nothing --

22 A. Or we were trying to keep them out
23 of it, or something about trying to keep them
24 out of it.

25 Q. And I take it there was no follow-up

1 on keeping them out of it?

2 A. (Witness shaking head no.)

3 Q. You're shaking --

4 A. No. The follow-up was I went to the
5 court as John Lentz' testimony in his
6 deposition said, I sat there all day to meet
7 the attorney, can't figure out why he would do
8 that.

9 Q. Which attorney are you talking
10 about?

11 A. Stover, Ryan Stover.

12 Q. So, what court did you sit through
13 all day?

14 A. Antelope County Court, and it might
15 have been District Court, I can't tell the
16 difference, but they were supposed to appear
17 there that day and I figured their attorney
18 would be there that day, and he was.

19 Q. Did you have a conversation with
20 Mr. Stover that day?

21 A. Yes.

22 Q. What did the two of you discuss?

23 A. Outside the courtroom, probably
24 about 3:30, I introduced myself. I said I was
25 a brother of Lisa Zuhlke, a member ownership

1 of Sunshine Ranch Company along with Lisa
2 Zuhlke and I was concerned. And he said,
3 'I already know about it. We already got it
4 handled.'

5 Q. And that was the extent of the
6 conversation?

7 A. Pretty much it.

8 Q. You had retained Mr. Ron Temple, a
9 Norfolk lawyer, to assist Sunshine, didn't
10 you?

11 A. Yes.

12 Q. And why did you do so?

13 A. I consider Ron Temple a friend, he
14 has handled other issues for me, with me, I
15 know some of his mutual acquaintances. I had
16 been telling him, and the bank, and the
17 accountant about this deal for quite some
18 time, and everybody just said doesn't look
19 like nothing to me. And when I figured out it
20 was going to be something when they identified
21 Sunshine Ranch Company as one of their assets,
22 I decided I needed to get an attorney.

23 Q. All right. Let me kind of go back
24 and fill in some details. You said you
25 identified the bank and an accountant, what

1 bank was that?

2 A. I had been talking to Kirk Koinzan
3 at Farm Credit about this situation for awhile
4 because we had been accumulating this stuff
5 for a year and a half. I had been talking to
6 Bernie Auten, the accountant. I had been
7 talking to Ron Temple about this.

8 Q. Was this before Alden and Lisa
9 disclosed their ownership in Sunshine Ranch to
10 the bankruptcy court?

11 A. A lot of it was.

12 Q. Do you know did you ask Mr. Temple
13 to call me about Sunshine Ranch?

14 A. I don't recall.

15 Q. All right. Did you tell Alden and
16 Lisa Zuhlke that you're going to have to
17 inform the Court about her ownership in
18 Sunshine?

19 A. No.

20 Q. Do you recall the date that you
21 spoke with Mr. Stover in the Antelope County
22 Courthouse?

23 A. I don't know, but it was one of
24 their court dates.

25 Q. Do you know was it in the summer?

1 A. It was in the summer.

2 Q. Would it have been July, August?

3 A. It would have been sometime late
4 July or first part of August.

5 Q. And when you told him about her
6 ownership he said that we've got that handled?

7 A. In so many words, yes.

8 Q. All right.

9 A. He said, 'I already know about it.'
10 And I think at the time I didn't know who the
11 bankruptcy attorney was and I didn't know that
12 he had already quit, so. . .

13 Q. And you're speaking of Mr. Lentz?

14 A. John Lentz.

15 Q. All right. Do you know where Lisa
16 Zuhlke's stock certificates are?

17 A. I know where some of them are. The
18 rest of them are just identified by what's in
19 the book there. I don't know where the other
20 ones are.

21 Q. You said you know where some are and
22 I'm speaking in terms of the original share
23 certificates.

24 A. Right.

25 Q. Where are they?

1 A. Supposed to be in Philip Kelly's
2 office in Scottsbluff.

3 Q. All right. And other than those
4 that are supposed to be with Mr. Kelly,
5 you're -- you don't know where the other
6 original shares are?

7 A. No. Do you want me to elaborate on
8 that?

9 Q. That would be great.

10 A. I hadn't looked in the book in
11 years, I assumed they were there. The book
12 went to another attorney within the last two
13 years to do a little bit of work on dad's
14 estate, Dennis Collins with Collins and
15 Jewell, which Jewell is no longer around.
16 When this thing started heating up, Ron Temple
17 asked Jewell if he could have the book. He
18 got the book.

19 Every time I went to his office I
20 sat here, he sat there, and the book was over
21 there in the corner (indicating) and he was
22 relaying messages to you guys, documents
23 whatever. I never looked at the book. Every
24 time I went down there I said you -- 'I wish
25 you would put that thing in a safer spot.'

1 And every time I went down there it was still
2 sitting in the same spot.

3 When I decided in my infinite
4 stupid wisdom or whatever you want to call it
5 that this thing was beyond me saving, fixing,
6 doing this deal, I decided that I was just
7 going to give Philip Kelly what he asked for
8 to begin with, the stock certificates. I can
9 make a lot of other comments, but that's what
10 I decided. And when I said that, Ron said,
11 well, you know -- I said, 'No, that's what I
12 want to do.' And so he went over and got the
13 book and we looked in there and he said,
14 'Well, it's right here and right here and
15 right here.' And I go, 'Whoa, whoa, that
16 doesn't have a certificate with it.' And he
17 looks underneath it, 'Well, I thought it was
18 folded underneath'. And I said, 'No, it's not
19 there.'

20 And he got to looking and I said,
21 'I've already made my decision, I'm going to
22 give this to Philip Kelly.' 'You're going to
23 drive to Scottsbluff?' I said, 'I can drive
24 to Scottsbluff.' And he said, 'Well, I got to
25 do a little work here, and I don't know

1 whether he said work or what he said, but I
2 suppose it was notify you guys.

3 (A brief interruption occurred.)

4 A. Was that Subway?

5 Q. (Mr. Garden) No, that was the
6 Sheriff -- or a deputy.

7 A. Must be looking for you. Anyhow,
8 probably to notify you people that he'd just
9 been fired. And I told him the next day I
10 wanted the book, and I met him at his house.
11 And in between there I figured out where some
12 of the stock certificates were just by
13 happenchance, because my mom moved out of a
14 house in Plainview that I -- she had been
15 living in rent free, into an apartment and she
16 left back a diary, which I have over there
17 (indicating), and it said I told Kevin that
18 his stock certificates were in a cupboard
19 above the sink at Sidump'r and Kevin picked
20 them up.

21 I never knew the stock certificates
22 were in the book, I had never researched that,
23 I never looked. So, I asked my brother, first
24 I went to Sidump'r and looked and there was
25 nothing there, I looked all over hell. Did I

1 say hell in a deposition?

2 Q. That fine.

3 MS. GOODMAN: You just did.

4 A. Anyhow, called by brother and he
5 said, 'Yeah, I got my stock certificates they
6 were here.' So then I went to my mom. My mom
7 and dad got a divorce in 1993. I always
8 thought the book was in a fire safe file, it
9 was there, I never looked at it.

10 When we needed it for Dennis
11 Collins I got it out and gave it to him. When
12 I couldn't find it at the Sidump'r I called my
13 brother and he said yep, that's what the deal
14 was. Then I went to my mom and she goes,
15 'They're in the safe at Sidump'r.' I said, 'I
16 don't have a safe at Sidump'r.' 'Well, your
17 brother, Troy, had a safe and they're in that
18 safe.' I went to Sidump'r there was a safe, a
19 little thing like this (indicating).

20 She told me what the combination
21 was, it was wrong. I took the thing apart,
22 looked at the batteries, tried to figure it
23 out, got the thing opened without breaking it,
24 and sure as hell the group of stock
25 certificates that were Lisa's that were in

1 there correlated with the group of stock
2 certificates that were mine that were in
3 there, correlated with the group of stock
4 certificates that were Kevin's were in there
5 -- or Kim's that were in there, but not
6 Kevin's, but that it wasn't complete.

7 Q. So, some original certificates were
8 in the small safe at Sidump'r?

9 A. Yep.

10 Q. Including Lisa's?

11 A. Yes.

12 Q. But not all of Lisa's original
13 shares?

14 A. Not all of Lisa's, because what I
15 did was I took the -- that day -- the next day
16 I said, 'Ron, I'm coming to get the book.'
17 And like normal, I don't sometimes get off at
18 5 or 4:30, and I said, 'I'm running a little
19 late.' He said, 'I'll have the book at my
20 house.' Backed up to his house, I had the
21 safe, I opened it up. I said, 'Here's some of
22 the certificates, let's look at the book.'

23 Looked at the book, I figured out
24 which ones were missing. He said, 'What are
25 you going to do?' I said, 'I'm taking this

1 down to Philip Kelly.' Because the next day
2 we were supposed to have a deposition and I
3 figured he's going to be in the office.

4 Q. So to kind of recap, you took the
5 corporate book that had been in Mr. Temple's
6 office and added to it the original share
7 certificates you found at the Sidump'r
8 building; is that correct?

9 A. Of Lisa's, nobody else's.

10 Q. Okay. So, you only added Lisa's
11 original share certificates?

12 A. That were not complete.

13 Q. So then the original corporate book,
14 you drove to Scottsbluff and delivered to
15 Mr. Kelly; is that correct?

16 A. To his office.

17 Q. All right. So, other than those
18 original share certificates that you believe
19 were delivered to Mr. Kelly's office, you
20 don't know where the others are?

21 A. I do not.

22 Q. Sir, I'm going to show you what we
23 marked as Exhibit 24. Could you identify
24 that?

25 A. It says Owner's Name, Register --

1 Title Lien and Register of Records, Nebraska
2 Department of Motor Vehicles.

3 Q. So, did you send Exhibit 24 to me?

4 A. I did.

5 Q. Why did you do so?

6 A. Why did I do so? That is a very
7 good question. Now I got to decide why did I
8 do that?

9 Q. Yes, sir.

10 A. Short of repeating myself, I decided
11 that I wasn't going to save this situation.

12 Q. 'This situation' being Alden and
13 Lisa's financial issues?

14 A. Yes.

15 Q. Okay.

16 A. But there was a turning point
17 different times, which you didn't ask about,
18 but I'll tell you.

19 Q. All right.

20 A. I have asked several times to the
21 family including the two boys in the audience
22 if they're needing some help.

23 Q. That would be Derek and Dillan?

24 A. Yep. And one of them at one time
25 they said, 'No, not at this time.' And the

1 other time says, 'We're going to be bidding
2 tomorrow.' And one time in a text says, 'I'm
3 going to be bidding tomorrow, please don't bid
4 against me.'

5 Q. The bidding, was that the execution
6 sale conducted by the Antelope County
7 Sheriff's Office?

8 A. One of them.

9 MS. GOODMAN: If I could -- I want
10 to interject an objection and I would ask that
11 it precede Mr. Garden's question, and I'm
12 going to object to that whole answer as not
13 responsive to Mr. Garden's question.

14 MR. GARDEN: Would you read back my
15 last question because I have forgotten it?

16 COURT REPORTER: I will.

17 A. 'Why did you give this to me?'

18 Q. (Mr. Garden) Correct. And did you
19 give this to me because you wanted to assist
20 the bankruptcy court or the bankruptcy trustee
21 in recovering assets?

22 MS. GOODMAN: Objection to form.

23 Q. (Mr. Garden) You can answer. We're
24 getting close to home.

25 A. I did this because I'm tired of the

1 lies that have been told. I want to get
2 Sunshine Ranch out of this one way or the
3 other.

4 Q. What lies do you believe have been
5 told and by whom?

6 A. That they have no other personal
7 property.

8 Q. 'They' being Alden and Lisa Zuhlke?

9 A. Yes. And that we have nothing, and
10 you kicked us when we were down, and that the
11 Sheriff said he could not find any other
12 stuff.

13 Q. Now, did -- you're aware that Rabo
14 Agrifinance filed an action to recover
15 possession of its collateral from Alden and
16 Lisa Zuhlke, aren't you?

17 MS. GOODMAN: Objection to form.

18 Q. (Mr. Garden) Are you?

19 A. Yes.

20 Q. You're aware that Rabo sued the
21 Zuhlkes to get its collateral back, correct?

22 MS. GOODMAN: Same objection.

23 A. Yes.

24 Q. (Mr. Garden) How are you aware?

25 A. It's public record.

1 Q. In the Antelope County Courthouse?

2 A. In the files over there in Antelope
3 County, yes.

4 Q. Did you ever discuss that litigation
5 with Alden and Lisa?

6 A. At their kitchen table they said
7 they were finally ready to talk sometime
8 maybe, I don't know when, maybe November.

9 Q. Of what year?

10 A. 2024.

11 Q. And did they visit with you about
12 their situation with Rabo?

13 A. Yes.

14 Q. What did they tell you?

15 A. But did not mention Rabo, they
16 mentioned the bank, which I knew was Rabo.

17 Q. Okay. What did Alden and Lisa tell
18 you about the bank?

19 A. I asked them, again, 'Do you have a
20 plan? No, we don't have a plan. Do you have
21 an attorney? No, we're trying to find one.
22 Did you sign the note, Lisa, to Rabo bank?
23 Yes. I said this thing is pretty simple. You
24 borrowed that money, you signed the note, the
25 bank wants their money back. We have

1 nothing.' I said I'm not here -- and she
2 started bawling, 'I'm not here to listen to
3 your emotions. I'm here to try to figure this
4 out. Do you have a plan?' I said, 'They want
5 Derek's house.' I was trying to see if they
6 would get some sort of seriousness here. 'If
7 that's what they want, they don't want any
8 young farmers around here, let them have it.'
9 I said, 'You guys are going to jail.' I said
10 it three times.

11 Q. And what was either Alden or Lisa's
12 response?

13 A. I said they're going to try to
14 prove -- it's already in the court documents
15 what you guys are going to try to prove. You
16 sold Derek's house to him too cheap, you sold
17 land to Derek and Dillan too cheap, and
18 they're going to try to prove that. And Alden
19 said, 'What did they pay for the ground
20 underneath the hog barn?' He's sitting closer
21 than she (indicating to court reporter) is to
22 me, and I'm going, what did they pay for the
23 ground underneath the hog barn?

24 He gets up out of his chair and I
25 start getting up and he shoved me and he said,

1 'What did they pay for the ground underneath
2 the hog barn?' And he shoved me again and
3 Lisa said, 'Stop, Al, stop.' And I said,
4 'You touch me one more time,' and I walked
5 out. I haven't talked to him since. I've
6 talked to Lisa since.

7 Q. Okay. What have you and Lisa
8 discussed?

9 A. That was one of the turning points,
10 she was helping my mom move out of the house.

11 Q. All right.

12 A. She had a pickup backed up, not
13 really close to the house, but she was loading
14 stuff into it. My mom was in the house. And
15 I asked her a few questions and she said, 'You
16 were kicking us when we were down.' 'Okay,
17 whose pickup is that?' It's a 7 county
18 pickup, I didn't recognize it. She kind of
19 paused a little bit, 'that's Darin's.'

20 Q. And Darin is one of Alden and Lisa's
21 sons?

22 A. Yep.

23 Q. All right. What other conversation
24 did you have with Lisa that day?

25 A. She walked off, drove off, left,

1 left mom sitting there, but stupid Doug didn't
2 get the license plate number.

3 Q. But you're sure it's a Madison
4 County plate?

5 A. I know it's 7 county.

6 Q. All right. And that is Madison
7 County?

8 A. But we checked it out later, found
9 the license plate number.

10 Q. And who do you believe owns the
11 vehicle that Lisa was driving that day?

12 A. Supposedly --

13 MS. GOODMAN: And I'm going to
14 object on form and foundation.

15 Q. (Mr. Garden) You can go ahead and
16 answer.

17 A. It's titled and registered in two
18 different states.

19 Q. All right. Tell me how -- what you
20 looked at to conclude that this 7 county
21 vehicle is titled in two states.

22 A. Run the license plate.

23 Q. Through Nebraska Department of Motor
24 Vehicles; is that correct?

25 A. Yep.

1 Q. And who did you determine that
2 pickup was titled to?

3 A. If I tell you right now I'd be
4 lying, but I knew at the time, it's my deal
5 over there (indicating), it's titled, we
6 think, to Darin or one of his entities
7 registered something different, but I don't
8 know which one is which.

9 Q. So, what other state do you believe
10 that vehicle was registered in?

11 A. Texas.

12 Q. And upon what do you base that
13 belief?

14 A. What the Court records -- courthouse
15 records say.

16 Q. In Texas?

17 A. In Nebraska.

18 Q. Okay. That would be the Madison
19 County Courthouse records?

20 A. Antelope.

21 Q. I'm really confused.

22 A. Antelope, one of them, I do not
23 know. I did not research it. I asked
24 somebody to run the plates.

25 Q. Okay. Who ran the plates for you?

1 A. I'm going to plead the Fifth.

2 Q. It's really not relevant, so -- was
3 it law enforcement?

4 A. No.

5 Q. All right. So, sir, I'm showing you
6 what we marked as Exhibit 25, which is a whole
7 stack of photos; do you recognize that?

8 A. I recognize the first one --

9 Q. What is the first --

10 A. -- and the second one, and the third
11 one, so I probably recognize them all.

12 Q. All right. I'm going to pull out my
13 copy and then we'll just kind of go through
14 this page-by-page. Did you take the
15 photographs in Exhibit 25?

16 A. Yep. Yes.

17 Q. About when did you do that?

18 A. I could look on my phone for the
19 exact date.

20 Q. In 2025?

21 A. Yes.

22 Q. So, the first one is a Dodge Ram
23 pickup, isn't it, page 1?

24 A. Yes.

25 Q. Where is that vehicle located?

1 A. I know where it was located when I
2 took the picture, I don't know where it is
3 now, I haven't double-checked. North of
4 Winnetoon, Nebraska.

5 Q. Is it parked in the field or where
6 is it?

7 A. In a pasture.

8 Q. Do you know who owns the Dodge Ram
9 pickup?

10 A. (No response.)

11 Q. Did you find a title to the truck?

12 A. Registration.

13 Q. Put them together, it's back about
14 half way.

15 A. That's not the right pickup, 2006.

16 Q. So page 1 is a 2006 Dodge?

17 A. Yep.

18 Q. Did you look inside the vehicle?

19 A. That's where the registration was.

20 Q. And you photographed the
21 registration?

22 A. Do you have a comment, Lauren?

23 MS. GOODMAN: I don't, no, I'll have
24 some questions after he gets done.

25 A. You keep sighing and stuff, I just

1 wondered if you have something you wanted to
2 say.

3 MS. GOODMAN: No.

4 A. Okay.

5 MS. GOODMAN: No follow-up until
6 he's finished.

7 Q. (Mr. Garden) Well, let's just -- you
8 looked at the registration, who did it show to
9 be the owner of the Dodge pickup?

10 A. I'm going to try to find it.

11 Q. May not have gathered all the
12 photographs in this Exhibit. If you don't
13 recall, do you have your phone with you?

14 A. Sure I do.

15 Q. Would that assist you in recalling?

16 A. Sure.

17 Q. Well, why don't you take a moment
18 and look at your phone.

19 A. It might be right here, but I'm
20 pretty sure it's not.

21 Q. Do you want to take a break? We've
22 been drilling -- going for two hours.

23 A. Doesn't matter to me.

24 Q. You let me know, sir, when you need
25 a break because I'd like to go through these

1 pictures.

2 A. (Looking at phone.) March 16th.

3 Q. All right. That's when you took the
4 picture of the pickup?

5 A. Alden Zuhlke, Lisa Zuhlke.

6 Q. That's what the registration shows,
7 correct?

8 A. (Indicating). Correct.

9 MS. GOODMAN: It says 2025?

10 Q. (Mr. Garden) March 16th of 2025,
11 sir?

12 A. We already went through that and he
13 asked if it was this year, yes.

14 MS. GOODMAN: Thank you.

15 Q. (Mr. Garden) Do you know whose land
16 this pickup was situated on?

17 A. I don't know whose land it is, but
18 it's called the homestead.

19 Q. Do you know who owns the homestead?

20 A. I didn't look it up in the Court
21 records, but it's a Zuhlke, probably not
22 related to them as far as the immediate
23 family, meaning the boys or Lisa and Al.

24 Q. So, turning to page 2 of Exhibit 25.

25 A. (Witness so doing.)

1 Q. You took this photograph, didn't
2 you?

3 A. Yes.

4 Q. When?

5 A. Same date. Did I say March 8th?

6 Q. I think you said 16.

7 A. March 16th.

8 Q. All right. What does the photo
9 depict?

10 A. A couple of -- one attachment for a
11 skid steer and it looks like a 3-point small
12 disc.

13 Q. And is that in the -- there's a
14 truck in the rear, is that the same --

15 A. Same one.

16 Q. All right. As page 1?

17 A. (Witness nodding head yes.)

18 Q. So, this is all, again, on the
19 homestead, correct?

20 A. Correct.

21 Q. Page 3, when did you take that
22 photograph?

23 A. March 16th.

24 Q. What is it?

25 A. What is it, a camper.

1 Q. Okay. Where was this camper
2 located?

3 A. Same place, the homestead up on top
4 of a hill about a quarter mile away.

5 Q. And page 4, is that the VIN for the
6 camper?

7 A. Yep.

8 Q. And you took that photograph, too,
9 didn't you?

10 A. Yep.

11 Q. Page 5, what does that show us?

12 A. A license plate on a pickup.

13 Q. Taken March 16?

14 A. Nope.

15 Q. Oh, when did you -- did you take the
16 photograph?

17 A. Yep.

18 Q. When?

19 A. March 9th.

20 Q. Of '25?

21 A. Yes.

22 Q. Where is this vehicle located?

23 A. Piece of property south and west of
24 Creighton.

25 Q. Do you know who owns it?

1 A. They call it the Blair property. I
2 don't know who owns it.

3 Q. Do you know who owns the vehicle
4 depicted in the photograph?

5 A. No, but it's in my records over
6 there (indicating), you can run the plate.

7 Q. Next page is an International truck.
8 Did you take that photograph?

9 A. Yep.

10 Q. When did you take that?

11 A. It would help if I was going the
12 right dang direction. March 18th.

13 Q. Where -- of '25?

14 A. Correct.

15 Q. Where was this vehicle located?

16 A. It was what they called the Zuhlkes'
17 original home place where Lisa and Al lived.
18 It got sold by the bank to Tim Braun.

19 Q. So this is on land that Mr. Braun
20 owns?

21 A. There's a question -- I would say
22 yes, but nobody knows who owns the stuff.

23 Q. Did you look at the registration for
24 this International?

25 A. One of them I did, 1983

1 International S Series, Diamond Z Farms.

2 Q. So, Diamond Z is an entity that Al
3 and Lisa have an interest; isn't that correct?

4 A. As far as I know.

5 Q. Next page depicts a pickup, 26
6 county license 1031.

7 A. Yep.

8 Q. Did I skip the grain trailer?

9 A. No.

10 Q. Did you take that photograph?

11 A. Yep.

12 Q. When?

13 A. March 18.

14 Q. '25?

15 A. Correct.

16 Q. And where was this photo taken?

17 A. Same place, where Lisa and Al used
18 to live.

19 Q. Did you look at the registration for
20 this pickup?

21 A. Nope.

22 Q. In the rear or upper left there's
23 some -- looks to be either anhydrous tanks
24 or --

25 A. Propane tanks.

1 Q. -- propane tanks. Do you know who
2 owns those?

3 A. Nope.

4 Q. And is that the -- in the upper left
5 is that the same truck that we were looking at
6 on the prior page, the International?

7 A. No.

8 Q. Is that the feed truck?

9 A. It's two feed trucks.

10 Q. All right. Did you investigate the
11 ownership of the two feed trucks?

12 A. Ran the license plate.

13 Q. And what did you learn?

14 A. I don't know what it is, it's over
15 there (indicating). Either Diamond Z or Lisa
16 and Al Zuhlke.

17 Q. On both feed trucks?

18 A. Yeah.

19 Q. The next page, did you also take
20 that photograph on March 18 of this year?

21 A. Yep. That shows you the second feed
22 truck's license plate.

23 Q. The next page is a red Ford. Do you
24 recognize that?

25 A. Yep.

1 Q. You took that photograph?

2 A. Yep.

3 Q. When?

4 A. March 18, 2025.

5 Q. Where was this taken?

6 A. Where Lisa and Al used to live.

7 Same place as the other two feed trucks and
8 the pickup.

9 Q. What kind of vehicle is this, sir?

10 A. Straight truck.

11 Q. Okay. Did you look into the
12 ownership of that truck?

13 A. Nope.

14 Q. Next page is a photograph, it looks
15 like the rear of a feed truck; is that
16 correct?

17 A. That's correct.

18 Q. Did you take that photo?

19 A. Yep.

20 Q. When?

21 A. March 9th.

22 Q. And where was this photograph taken?

23 A. South and west of Creighton.

24 Q. Do you know who owns the land
25 that --

1 A. No, they call it the Blair property.

2 Q. Who's 'they'?

3 A. The surname people say it's the
4 Blair property.

5 Q. So just in this neck of the woods
6 we'd refer to that as the Blair property?

7 A. Maybe the Zuhlkes refer to it as the
8 Blair property, I don't know.

9 Q. Did you investigate the ownership of
10 this truck having license 26 county 223R?

11 A. Just ran the plates.

12 Q. And what did you learn?

13 A. Diamond Z Farms.

14 Q. Next page is a registration, did you
15 take a photograph of that?

16 A. Yep.

17 Q. When?

18 A. March 9th, I think. You got them
19 out of -- you got them out of series here, so
20 I'm not darn sure, but that one -- I got to
21 re-say that. That was March 18th.

22 Q. All right. And that's to the white
23 International; is that correct?

24 A. Yep.

25 Q. Next page is another registration,

1 did you take that photograph?

2 A. Yep.

3 Q. When?

4 A. I'm pretty sure it's March 9th, but
5 I'll double check. March 9th.

6 Q. Next page is -- did you take the
7 photograph of the trailer?

8 A. Yes.

9 Q. When?

10 A. March 9th.

11 Q. Where was that located?

12 A. South and west of Creighton.

13 Q. What do we call that property?

14 A. Blair property.

15 Q. Thank you. Did you investigate the
16 ownership of this trailer?

17 A. Couldn't read the license plate, no.

18 Q. Next page is a trailer with the 26
19 county X3464 plate. Did you take that photo?

20 A. Yes.

21 Q. When?

22 A. March 8th.

23 Q. Where was this taken?

24 A. South and west of Creighton.

25 Q. Is that the Blair property again?

1 A. Yes.

2 Q. Does somebody live on this Blair
3 property?

4 A. Not that I know of, pigs and coons.

5 Q. Is it secluded?

6 A. Not really.

7 Q. Any buildings on it?

8 A. Sure.

9 Q. Farmstead and --

10 A. Farmstead, but no house I know of.

11 Q. Okay, just outbuildings?

12 A. Pig barn, open front pig barn, shop,
13 couple garages.

14 Q. And I may have asked you, but who
15 owns the Blair property?

16 A. I don't know, I didn't look it up.

17 Q. Okay. So, next page, did you take
18 that photograph? It looks like a snowblower?

19 A. Yeah.

20 Q. When?

21 A. Don't know, I must have erased it.
22 I don't know, but it was probably, maybe
23 March 20th. I may have it, I may not.

24 Q. Where was this photo taken?

25 A. Plainview, Nebraska.

1 Q. It looks to be inside of a building.

2 A. Inside of an old barn.

3 Q. Do you know who owns the property in
4 which that barn sits?

5 A. Yes, I provided it to you. Lisa and
6 Alden Zuhlke in Pierce County.

7 Q. Lisa and Alden own this barn?

8 A. Own the barn and the lot that it
9 sits on. And I lied to you, I provided it to
10 Ron Temple quite awhile ago, he was supposed
11 to give it to you guys.

12 Q. Okay. So, they own some real estate
13 in Pierce County?

14 A. Yes.

15 Q. About how many acres was it?

16 A. I got to back up, that's March 15th.

17 Q. I'm sorry. About how many acres?

18 A. It's just a lot, or two lots, or
19 whatever. Whatever the register of deeds
20 says.

21 Q. Okay. So these are, what, like, an
22 acre lot, a city lot?

23 A. It looks to be at least a half a lot
24 -- half a block or a whole block, or I guess a
25 half a block, maybe. It's a wide open deal

1 with a barn on it.

2 Q. Okay. And you entered the barn and
3 found the snowblower, correct?

4 A. The reason I went up there is
5 because we had identified this place as
6 something that they owned and gave it to my
7 attorney, he was supposed to forward it to you
8 and somebody said I wonder what else is in the
9 barn, I have no idea. My sister had been
10 mowing my mom's lawn last summer, and I have a
11 friend that lives right north of my mom -- and
12 my mom has a lawnmower that I gave to her, my
13 mom has another big diesel lawnmower that was
14 her -- my youngest brother's, never used it.
15 And my sister started mowing the lawn and a
16 friend goes, 'Your sister drives by here with
17 a John Deere lawnmower to mow your mom's lawn
18 in town.' I'm going where the hell is that?
19 Went up there and the lawnmower is in this
20 barn. Drives it all the way across town to
21 mow my mom's lawn.

22 Q. The sister being Lisa Zuhlke?

23 A. Yep.

24 Q. All right.

25 A. So, and I was looking at the

1 lawnmower I see the snowblower.

2 Q. Did you take a photograph of the
3 lawnmower?

4 A. Yep.

5 Q. Oh. So, we'll get to that.

6 A. March 15th, same place, Plainview.

7 Q. Other than --

8 A. Inside of a barn.

9 Q. Other than the lawnmower and the
10 snowblower, was there anything else of value
11 in the barn?

12 MS. GOODMAN: Objection, form and
13 foundation.

14 Q. (Mr. Garden) Did you see anything
15 else of value in this barn?

16 MS. GOODMAN: Same objection.

17 Q. (Mr. Garden) You can go ahead and
18 answer.

19 A. Can I be a smart aleck?

20 Q. Sure.

21 A. Depends on whether or not you like
22 to collect old school desks and old bales of
23 straw, the answer is no.

24 Q. Okay, appreciate that. Would you
25 turn to the next page, identify it.

1 A. (Witness so doing.) It's an
2 attachment for a skid steer with a skid steer
3 in the background with another attachment
4 beside it.

5 Q. Did you take this photograph?

6 A. Yep.

7 Q. When?

8 A. I should start making a note here.
9 March 9th.

10 Q. Of '25?

11 A. Yes.

12 Q. Where was the photograph taken?

13 A. South and west of Creighton.

14 Q. Do you know who owns the land?

15 A. Nope. It's called the Blair
16 property.

17 Q. Okay. So this is -- this Blair
18 property, there's been a lot of equipment that
19 you photographed there, isn't there?

20 A. Yes.

21 Q. And vehicles?

22 A. Yes.

23 Q. Next page, could you identify that
24 for me?

25 A. Basically the serial number plate of

1 that skid steer.

2 Q. And you took that photograph the
3 same day?

4 A. Yep.

5 Q. The next page, could you identify
6 that?

7 A. Attachment for a skid steer. Same
8 property, same date, March 8th.

9 Q. Next page, would you identify that?

10 A. Serial number of another you
11 necessarily wouldn't call it a skid steer, but
12 utility material handling piece of equipment.

13 Q. Was this tracked or wheeled?

14 A. Wheeled.

15 Q. When did you take that photograph?

16 A. March 8th, same property.

17 Q. Next page, would you identify that?

18 A. Skid steer bucket, same date, same
19 property.

20 Q. And, again, you took that
21 photograph?

22 A. Correct.

23 Q. Next page, would you identify that?

24 A. Basically it's a 260 Eco JCB skid
25 steer, same date, same property.

1 Q. Next page, would you identify that?

2 A. It's a serial number either for that
3 skid steer or the other one, same date, same
4 property.

5 Q. And the next page?

6 A. That's the other skid steer,
7 telehandler, whatever you want to call it,
8 same date, same property.

9 Q. Then we get to the lawnmower.

10 A. Plainview, in a barn on real estate
11 that's registered in Pierce County to Lisa and
12 Al Zuhlke.

13 Q. And then the next page is a
14 duplicate of the snowblower, isn't it?

15 A. Yep.

16 Q. All right. The next page, what is
17 that a photograph of?

18 A. It's the power plant or the engine
19 of a jetter.

20 Q. Of a what?

21 A. Jetter.

22 Q. What's a --

23 A. J-e-t-t-e-r.

24 Q. What does a jetter do?

25 A. Jets out sewer lines with high

1 pressure water.

2 Q. Did you take the photograph?

3 A. Yes.

4 Q. Where?

5 A. South and west of Creighton.

6 Q. Is that the Braun?

7 A. Blair.

8 MS. GOODMAN: Blair.

9 Q. (Mr. Garden) Or Blair, I'm sorry.
10 When did you --

11 A. March 9th.

12 Q. Was this in a building or sitting
13 out in the open?

14 A. In a building.

15 Q. Would you identify the next
16 photograph?

17 A. It looks like used stainless steel
18 hog feeders.

19 Q. Did you take the photo?

20 A. Yep.

21 Q. When?

22 A. March 18th.

23 Q. And where did you find these hog
24 feeders?

25 A. Where Lisa and Al used to live.

1 Q. That's Tim Braun's place?

2 A. (Witness nodding head yes.) Yes.

3 Q. All right. Next page, I'm curious?

4 A. I just thought you needed a giggle.

5 Q. Well, I thought it was a beautiful

6 calf. Was this our calf?

7 A. Just pulled it.

8 Q. All right.

9 A. That's my son-in-law.

10 Q. Which one?

11 A. The only one, Nick Penlicker.

12 Q. All right.

13 A. Remember that name of that daughter

14 Morgan?

15 Q. Yes. Well, I like your sense of

16 humor. All right, next page looks like

17 propane tanks, correct?

18 A. Correct.

19 Q. When was this taken?

20 A. March 18th.

21 Q. And, again, you took it?

22 A. Yep.

23 Q. Where?

24 A. Lisa and Al's old place, Tim Braun

25 owns it now.

1 Q. Next photograph, did you take that?

2 A. Yep.

3 Q. When?

4 A. March 18th.

5 Q. Where?

6 A. Lisa and Al's old place.

7 Q. And what does that show us?

8 A. Two storage tanks.

9 Q. Are these sitting on a concrete slab
10 or --

11 A. I didn't look.

12 Q. Okay. And the final photograph, did
13 you take it?

14 A. Yep.

15 Q. When?

16 A. March 18th.

17 Q. Where?

18 A. Lisa and Al's.

19 Q. I think we've got -- I've got one
20 more exhibit. Sir, did Mr. Temple ever share
21 the e-mail that we've marked as Exhibit 26
22 with you?

23 A. Yes.

24 Q. Are you familiar with Exhibit 26?

25 A. Yes.

1 Q. And I'm kind of curious, it's an
2 e-mail that Mr. Temple sent to the trustee,
3 isn't that correct, to Mr. Kelly?

4 A. Sent it to Phil Kelly.

5 Q. All right. And there's some
6 discussion of further investigation Rabo
7 should have done regarding the disappearance
8 of its collateral, what do you know about
9 that?

10 A. What I know about it is hardly
11 anything that I produced right here, but I
12 knew there was something (indicating),
13 property, equipment, that the Sheriff did not
14 confiscate, whatever, that he was required to
15 do.

16 Q. And the Sheriff you're talking about
17 is Sheriff Moore?

18 A. That's correct.

19 Q. Have you had conversations with
20 Sheriff Moore about his efforts to recover
21 Rabo's collateral?

22 A. Yes.

23 Q. When?

24 A. You have the information. Probably
25 two weeks ago --

1 Q. All right.

2 A. -- was the last time in person with
3 -- in the Sheriff's office with his Deputy,
4 and in text messages when I texted you I
5 hadn't heard anything from Sheriff Moore. And
6 prior to that I was in another lawsuit with
7 John Deere concerning a tractor that my
8 brother-in-law had bought out of state.

9 Q. What brother-in-law?

10 A. Scott Clark.

11 Q. All right.

12 A. But I got drug into the lawsuit
13 because the tractor, that I had nothing to do
14 with, was sitting on his place, which is owned
15 by Sunshine Ranch, so they named Sunshine
16 Ranch. So, I got served by Robert Moore about
17 8:30 at night, with his brother out in the
18 country, of this lawsuit and we discussed Lisa
19 and Al's deal then and he said this has went
20 on way too long and the Judge is not happy.

21 Q. About when did that conversation
22 occur?

23 A. Probably in August.

24 Q. Of?

25 A. 2024. But I could look it up

1 because he served me.

2 Q. All right. What Judge was unhappy?

3 A. I have no idea.

4 Q. You've attempted to get the Sheriff
5 to go pick up the items that you photographed,
6 didn't you?

7 A. I showed him some of the pictures,
8 he said he didn't want them. He said that he
9 would like to take me and he would take the
10 photographs himself, but he said he would like
11 to have an order from the Court before he did
12 anything.

13 Q. All right. Did he tell you which
14 Court?

15 A. Nope.

16 Q. Have you had conversations with Rabo
17 or Trustee Kelly concerning purchasing Lisa's
18 stock in Sunshine?

19 A. Yes, and it says it right here
20 (indicating).

21 Q. All right. Do you recall did the
22 trustee ask 2.9 million dollars for Lisa's
23 stock?

24 A. This is what I recall, it might be
25 round numbers.

1 Q. All right. Tell me what you
2 remember.

3 A. Do you want to be out of here by 1
4 or 12?

5 Q. Just tell me what you remember.

6 A. Before the last sheriff's sale when
7 you were there at the sheriff's sale in
8 Antelope County and you sold two pieces of
9 property I went to my bank and applied for a
10 loan for 4 million dollars.

11 Q. And that would be Farm Credit?

12 A. Farm Credit, Kirk Koinzan.

13 Q. All right.

14 A. The day before the sale they
15 approved my loan, took a thousand acres of my
16 farm ground as collateral. I thought maybe
17 before the sale we can get this thing slowed
18 down or stopped. The people that bought the
19 place, one of them said we're going to be
20 bidding tomorrow and I'm going, I guess I'm
21 going to go see if that's true, so I went, you
22 saw me there. They wrote out a check,
23 \$711,000 was sold that day. I go, okay.
24 Before this they wanted 3.5, 3.9 million,
25 whatever the number was, but we thought the

1 thing should be somewhere around 2.8 million
2 after the sale, which is probably 3.5 minus
3 700,011, and they came back with a higher
4 number, 3.9 million.

5 Q. That was through Mr. Temple?

6 A. Through Mr. Temple.

7 Q. All right.

8 A. And I decided that I was going to
9 put my application for the loan on hold, which
10 the banker said there would be a fee, but he
11 said he would keep it live for awhile, and I
12 decided I'd go at this deal at a different way
13 and try to buy out Lisa's shares.

14 Q. All right.

15 A. And so I made an offer for the
16 shares and that's what you see the second
17 offer there, I think it may have started out
18 at 1.5, I don't know.

19 Q. So, a long story short, you offered
20 to pay the trustee 1.7 million dollars for
21 Lisa's shares in Sunshine; is that correct?

22 A. Yes.

23 Q. Has that offer been withdrawn?

24 A. Yes.

25 Q. Why?

1 A. The short story is I can't save this
2 deal. The real short story is the threat that
3 I was given, and I can call it a threat, you
4 can call it whatever you want, early on was we
5 found out Lisa has 11 percent of Sunshine
6 Ranch, we think the value is somewhere over
7 18 million dollars in real estate and we have
8 investors that will buy corporations, LLCs,
9 and minority shares in corporations and LLCs.
10 We're going to demand the shares, the
11 certificates, and the book, and we're going to
12 look to sell it. And I'm thinking, God, I
13 really didn't want that. And so I said to Ron
14 Temple, my attorney, I said, 'Let them have
15 it. Give it to them.' 'What?' I said, 'I'm
16 going to call their bluff.' He said, 'What if
17 Pat Meuret buys it?', and it just floored me.

18 Pat Meuret is a guy I sell a lot of
19 corn to, a lot of beans to, owns Meuret Grain
20 in Brunswick, grinds a lot of feed for me for
21 ACP, and I'm thinking where did that come
22 from, and so we started trying to make offers.
23 But the reason it's withdrawn is because I
24 can't save this deal and I knew from the
25 beginning minority shares on a closely held

1 corporation, find some son of a gun that wants
2 it and is going to put up with me and sell it
3 to him.

4 Q. So, you withdrew the offer because
5 you could not save Alden and Lisa; is that
6 correct?

7 MS. GOODMAN: Objection, form.

8 A. When I said I couldn't save them,
9 that's exactly who I meant, Alden and Lisa.

10 Q. (Mr. Garden) All right. Have you
11 had any further discussions with either Rabo
12 or the trustee about buying Lisa's stock?

13 A. No, just that I'm not going to -- no
14 and yes. This still holds, there's no offer
15 on the table and there's not going to be one.

16 Q. So, it's your position that Sunshine
17 Ranch will not redeem Alden -- or excuse me,
18 Lisa's stock in the company?

19 A. Unless somebody pulls some rabbit
20 out of their hat and proves that I'm guilty of
21 something and wants to throw my ass in jail if
22 I don't do something. Now, if you can sense a
23 little bit of rub there, yeah, they used that
24 in John Lentz's deal, there's a rub between me
25 and my sister. This looks like a rub to me in

1 a \$13,000 court fee from Ron Temple so far,
2 that's a rub to me (indicating to stack of
3 exhibits).

4 Q. So to summarize, you're angry at
5 your sister; is that correct?

6 A. I'm not angry, I'm angry with this
7 situation, and I'm disappointed that they
8 weren't honest in disclosing it right out of
9 the gate. Disappointed that even with my
10 multiple tries to have a family meeting, my
11 multiple tries to say what is your plan,
12 (indicating with hands in the air) there is no
13 plan, no court dates, don't show up, don't do
14 nothing, just whatever.

15 Q. Now, you just said your multiple
16 attempts to have a family meeting?

17 A. (Witness nodding head yes.)

18 Q. Who have you asked to attend a
19 family meeting?

20 A. Ron Temple early on called for a
21 family meeting, nobody wanted to participate.

22 Q. Who did Ron Temple ask to attend the
23 family meeting?

24 A. Ron Temple asked the attorneys for
25 Derek and Dillan, Ron Temple asked the

1 attorneys for Darin, Ron Temple asked if Lisa
2 and Al had an attorney at that time, if that
3 was Stover.

4 Q. It's your understanding that none of
5 the other family members wanted to attend?

6 A. Through their counsel, no.

7 Q. All right.

8 A. And that is documented.

9 Q. What do you know about the sale by
10 Alden and Lisa of farm ground to Derek and
11 Dillan Zuhlke?

12 MS. GOODMAN: Objection, foundation.

13 Q. (Mr. Garden) I'm asking a
14 foundational question, you can answer.

15 A. All I knew about it was after this
16 came to light and, I guess, I'm supposed to be
17 honest here, people don't like honesty, but
18 I'm going to be honest.

19 Q. Yes, sir.

20 A. I basically knew nothing about it
21 until I had seen you on Zoom at that court
22 appearance where I stayed there all day
23 waiting to see Ryan Stover, and I went down
24 and met with Ron Temple and Ron Temple said
25 you know, there's avoidable -- and I don't

1 know whether it's avoidable or avoidable,
2 transfer deal that is pending here and -- if
3 you don't want me to continue I won't
4 continue.

5 MS. GOODMAN: No, no, no.

6 Q. (Mr. Garden) You can continue.

7 MS. GOODMAN: I'm just listening.

8 A. He said that, 'Most of the time Dick
9 Garden knows what he's doing and he probably
10 has a case.' And he went on to say, 'Doug,
11 with that 4 million if you can get this
12 done -- we can get this done, we could buy
13 that case and I'll fight it for 40 percent.'
14 And I said, 'Would you do it for 20?', and he
15 said, 'No.' And in my mind I thought you're
16 smoking something, this big and you want me to
17 go on. If Rabo has been fighting this thing
18 this long why do I even want to think about
19 it?

20 Q. (Mr. Garden) So, is it safe to say
21 the conversation that you and Mr. Temple had
22 was you would buy the voidable transactions
23 claim and he would then represent you in that
24 claim?

25 A. Him and his firm, probably.

1 Q. All right. And you would pay
2 4 million dollars to the trustee?

3 A. Didn't have a number yet, just
4 trying to -- that's when his documents show
5 what is the number, what is the number? And
6 then we thought the number would go down and
7 the number went back up.

8 Q. I'm going to focus on the transfer
9 of land to Derek and Dillan by Alden and Lisa
10 Zuhlke. So, did Alden and Lisa ever tell you
11 that they were going to sell their land to
12 Derek and Dillan?

13 MS. GOODMAN: Objection, form.

14 A. No.

15 Q. (Mr. Garden) And that's something
16 you learned after the fact?

17 A. Yes.

18 Q. Did Alden consult you on business
19 deals ever on his business?

20 MS. GOODMAN: Objection, form.

21 A. Maybe 20 years ago.

22 Q. (Mr. Garden) Okay. But not
23 recently?

24 A. No.

25 Q. So, as we sit here today, there are

1 no negotiations between you and the trustee to
2 redeem Lisa's stock; is that correct?

3 MS. GOODMAN: Objection to form.
4 When you say 'you', do you mean Sunshine Ranch
5 or Mr. Hall personally?

6 Q. (Mr. Garden) Okay. Either you,
7 Mr. Hall, or Sunshine Ranch to -- strike that.

8 As of April 16, 2025, has Mr. Hall
9 offered to redeem Lisa's stock from the
10 trustee?

11 A. No.

12 Q. As of April 16, 2025, has Sunshine
13 Ranch made a pending offer to purchase Lisa's
14 stock from the trustee?

15 A. No.

16 Q. What do you know about an entity
17 Swine 84?

18 A. I know where it's located. I know
19 some of the other partners in it. I know
20 supposedly what people say the worth is. I
21 have talked to one of the other partners, last
22 name is Kuhlman. Starting this summer he said
23 we have nothing to worry about, we got a
24 bulletproof contract. In a few months, since
25 Alden, Diamond Z, somebody is not taking pigs

1 out of there, we have a deal where they get
2 less and less ownership as they don't take
3 pigs. And probably talked to him one more
4 time and I said you know, I'm not so sure that
5 you're safe. And then I showed him the
6 subpoena that I got for my records and he said
7 they had got nothing. And then, quite
8 frankly, um, some of this stuff should be off
9 the record, but --

10 Q. No.

11 A. But everybody wants it on the
12 record. I have the same veterinarian that
13 went to the Swine 84 meeting about two weeks
14 ago and his comment was, 'Man, Al has aged, I
15 about didn't recognize him.'

16 Q. So, this Kuhlman, is that a man or a
17 woman?

18 A. The mom wears the pants, as I
19 understand.

20 Q. Is that Janice?

21 A. Yeah, and the son kind of runs the
22 deal. I guess the mom lives in Norfolk. I've
23 never met her.

24 Q. What's the son's first name?

25 A. I can't even say it right now.

1 Q. Okay.

2 A. I want to say Brian, I want to
3 say -- I can't say it.

4 Q. Where does the son Kuhlman live, do
5 you know?

6 A. East of Creighton as far as I know.

7 Q. All right. Do you know anything
8 about an entity Z Brothers, LLC?

9 A. Yes.

10 Q. What do you know?

11 A. They own a quarter of ground,
12 supposedly, that was in Herb Zuhlke's Estate
13 the three brothers bought.

14 Q. Herb would be Alden's father?

15 A. That's correct.

16 Q. And that Alden and two of his
17 brothers, David and --

18 A. Dean.

19 Q. -- Dean purchased?

20 A. As far as I know.

21 Q. Okay. Do you know who farms the
22 ground owned by Z Brothers?

23 A. Supposedly Derek Zuhlke.

24 Q. Are you familiar with an entity
25 called Northview, Inc.?

1 A. I am not.

2 Q. Are you familiar with a company
3 called Joy Springs Properties?

4 A. I've heard of it, researched it a
5 little bit.

6 Q. What did you learn about Joy
7 Springs?

8 A. It looks like it's a complicated --
9 in and out, I have no idea what. . .

10 Q. You don't have any firsthand
11 knowledge?

12 A. (Witness shaking head no.)

13 Q. Is that correct?

14 A. That is correct.

15 Q. Do you know anything about loans
16 that Alden and Lisa Zuhlke made to Darin
17 Zuhlke?

18 A. Just what I read in the public
19 notices.

20 Q. And that would include the
21 Bankruptcy Court file?

22 A. That's true.

23 MR. GARDEN: I think it's time for a
24 break.

25 MS. GOODMAN: Oh, gosh I do, too.

1 MR. GARDEN: All right.

2 MS. GOODMAN: I'm going to have a
3 fair amount of questions, so. . .

4 MR. GARDEN: Do you want to break
5 for lunch?

6 MS. GOODMAN: That's what I'm kind
7 of thinking.

8 MR. GARDEN: Phil, is that okay with
9 you? I know it's only 11 out there.

10 MR. KELLY: Tell me when we're going
11 to start.

12 (An off-the-record discussion was
13 held.)

14 (Lunch break was taken.)

15 (Exhibits No. 27 and 28 were
16 marked.)

17 **EXAMINATION BY MS. GOODMAN**

18 Q. All right. Mr. Hall, my name is
19 Lauren Goodman, I represent Dillan and Derek
20 Zuhlke and their spouses in connection with a
21 litigation that has been filed by Trustee
22 Kelly. A couple questions, just to back up
23 here. Number one, is Sunshine Ranch currently
24 represented by an attorney?

25 A. No.

1 Q. Are you personally represented by an
2 attorney?

3 A. No.

4 Q. Okay. How old are you?

5 A. Um, born in 3/31/61.

6 Q. So you just had a birthday, okay.

7 A. Had a birthday not too long ago.
8 Old enough to retire.

9 Q. Okay. You personally -- I just want
10 to understand, so you indicated or testified
11 earlier you have a 16 percent ownership
12 interest in Sunshine Ranch, correct?

13 A. Correct.

14 Q. Do you also have personal assets
15 that you farm?

16 A. Sure.

17 Q. Okay.

18 A. Yes.

19 Q. Can you tell me about some of the
20 other business interests that you have
21 personally?

22 A. I farm.

23 Q. Okay. Through an entity or just as
24 a --

25 A. We talked about Tractor Ranch that

1 is owned by me and my wife.

2 Q. Okay. Other than Tractor Ranch, is
3 there anything else, any other businesses that
4 you own?

5 A. My businesses, we farm under me and
6 my wife's name.

7 Q. Okay. How many total acres do you
8 own personally, not through Tractor Ranch just
9 you and your wife personally?

10 A. Somewhere around 3,000.

11 Q. Okay. And then how many acres does
12 Tractor Ranch own?

13 A. None.

14 Q. Okay. In addition to farming the
15 ground, do you personally own livestock?

16 A. My wife has a herd of longhorn cows.

17 Q. How many head?

18 A. 50.

19 Q. All right. Now I want to jump over
20 to Sunshine Ranch. Does Sunshine Ranch own --
21 directly own livestock?

22 A. No.

23 Q. So -- okay. With regard to Sunshine
24 Ranch, what are its primary sources of
25 revenue?

1 A. Farming.

2 Q. Anything else?

3 A. Hogs, if they make money.

4 Q. And do I understand it correctly
5 from your testimony this morning that the hogs
6 are owned by ACP?

7 A. The hogs are under a company that is
8 titled ACP, LLC and jointly owned by Sunshine
9 Ranch, Doug Hall.

10 Q. Okay. With regard to the farming of
11 Sunshine Ranch does the -- does Sunshine Ranch
12 actually farm the land or does it rent it out
13 to farmers?

14 A. Farm it. There's a little bit that
15 my son-in-law and daughter are farming now in
16 joint with a neighbor just to get them
17 started.

18 Q. Okay. So, of the acres that you
19 testified Sunshine Ranch owned, how much --
20 how many of those acres does Sunshine Ranch
21 directly farm?

22 A. All of it, probably but about 60.

23 Q. All but 60?

24 A. Yeah.

25 Q. And then those 60 acres, your kids

1 or some neighbors farm?

2 A. Yep.

3 Q. And do those -- do your kids and the
4 neighbors, do they pay rent to Sunshine Ranch?

5 A. Yes.

6 Q. And is the rent under a written
7 lease?

8 A. No.

9 Q. What are the terms of the rent that
10 they pay to farm the 60 acres?

11 A. So much an acre paid in the fall.

12 Q. And when you say 'paid in the fall',
13 is that after harvest?

14 A. Yes.

15 Q. Okay. And what are the -- how much
16 -- when you say so much an acre, specifically
17 how much an acre?

18 A. Depends on the year and what we
19 agree to verbally. 250, 300, depends if it's
20 dryland or irrigated, most of this is dryland.

21 Q. So, the 200 -- and I apologize, I
22 didn't grow up farming, 250, 300 is that
23 bushels?

24 A. Dollars.

25 Q. Dollars, okay, so it's cash rent?

1 A. Yes.

2 Q. And it's paid in full, all right.
3 Okay. When was the last time Sunshine Ranch
4 held a shareholder meeting?

5 A. I don't know, a long time.

6 Q. This morning Mr. Garden showed you
7 Exhibit -- showed you -- showed you a document
8 marked as Exhibit 6 called Director Minutes.
9 Let me hand that to you. Is that -- if you
10 look through there there's meeting minutes --
11 if you would take a look there's some meeting
12 minutes from it looks like the last meeting
13 was held in the early '90s?

14 A. I believe that.

15 Q. Okay. At any point in time, sir,
16 did you personally attend a shareholder
17 meeting with regard to Sunshine Ranch?

18 A. Sure.

19 Q. And your recollection is the last
20 meeting you would have attended was early '90s
21 you say?

22 A. Yes.

23 Q. Who was at the meeting, the last
24 meeting that you attended?

25 A. It's a closely held family

1 corporation, the meeting would have been me
2 and my dad.

3 Q. Okay. No other shareholders were
4 present for that meeting?

5 A. No.

6 Q. Do you recall ever being at a
7 shareholders meeting, so 1990, before, where
8 Kevin Hall attended?

9 A. No.

10 Q. Lisa Zuhlke?

11 A. No.

12 Q. Kimberly Clark?

13 A. No.

14 Q. Okay. So, to your knowledge
15 Kimberly, Kevin, and Lisa never attended a
16 shareholders' meeting with regard to Sunshine
17 Ranch?

18 A. That's correct.

19 Q. Since 2020 have you as president
20 ever asked that a shareholders' meeting take
21 place?

22 A. No.

23 Q. How come?

24 A. You know, I'm busy farming. And I
25 know that it's required. Sometimes don't keep

1 this stuff up because it's basically a piece
2 of paper you sign and it really means nothing
3 except it goes in this file so somebody can
4 look at it later. And if you got the
5 president, and secretary, treasurer, they sign
6 the form, say we approve everything that's
7 been decided and business is going to be
8 operated and sign it and quit. It doesn't get
9 much work done, but I know that's not what you
10 want to hear or what you want to argue about.

11 Q. At any point in time since you've
12 been president, Mr. Hall, have you ever
13 circulated the financial statements of
14 Sunshine Ranch to any shareholders?

15 A. No.

16 Q. At any point in time --

17 A. Except my dad, he has access to all
18 of it.

19 Q. And we'll get to him in a second.
20 But since the time that you've been president
21 in the early -- since the early '90s, have you
22 ever provided a copy of a tax return to any
23 shareholders?

24 A. No.

25 Q. Since the early '90s when you became

1 president, have you ever -- has any of the
2 other shareholders other than your dad, so I'm
3 referring to Kevin, Lisa, Kimberly, have they
4 ever participated at all in the operations of
5 Sunshine Ranch?

6 A. Since the early '90s?

7 Q. Uh-huh.

8 A. My brother left in 1991, before that
9 around when he wasn't in college. My sister
10 hasn't helped since sometime in the '80s. My
11 sister, Kim, did the books for a little bit
12 maybe in the early '80s, but she has her own
13 family and her own farming business, she
14 doesn't -- hasn't done anything with that. We
15 might trade help back and forth a little bit,
16 but hardly any of that anymore.

17 Q. Have you ever invited any of the
18 other shareholders to assist in the operations
19 of Sunshine Ranch since the early '90s when
20 you became president?

21 A. Invited them to participate in what?

22 Q. The operations of Sunshine Ranch.

23 A. Well, I guess depends on what you
24 want to say. There was a farm that came up
25 for sale and I asked my son-in-law if he

1 wanted to maybe buy it and he said, geez, at
2 900 dollars an acre for irrigated acres, I
3 would have to pay this much interest and he
4 didn't haven't the money and he said no,
5 um. . .

6 Q. And to be clear, is your son-in-law
7 a shareholder in Sunshine Ranch?

8 A. My son-in-law, no.

9 Q. Okay.

10 A. I was talking about my
11 brother-in-law.

12 Q. Oh, your brother, okay, I'm sorry.

13 A. You were talking about shareholders.

14 Q. Yeah, you said son-in-law, so I
15 apologize.

16 A. Sorry.

17 Q. That's all right. So, okay, so is
18 it fair to say, sir, since the early 1990s
19 through the present you have been president
20 and in control of Sunshine Ranch?

21 A. That's fair.

22 Q. I want to talk a little about your
23 father, it's Sumner A?

24 A. That's correct.

25 Q. Okay. Tell me his involvement since

1 the early '90s in Sunshine Ranch.

2 A. Up until about two years ago we
3 worked together side-by-side every day of the
4 year.

5 Q. Okay. In 2008 when ACP -- the
6 operating agreement for ACP was signed,
7 correct?

8 A. That's what it said.

9 Q. Okay. Is that -- was the ACP
10 transaction something that you discussed with
11 your father at the time you entered into it?

12 A. Yes.

13 Q. Okay. Did you share the information
14 about ACP with any of the other shareholders?

15 A. Quite frankly, Alden Zuhlke went
16 with me to the meeting down in Columbus in
17 Sands' office when Sands basically said we
18 need to maybe find different people to manage
19 this thing because we have filed for
20 bankruptcy under Furnas County Farms. And
21 Alden went with me, my wife went with me, and
22 at that time they discussed the amount per
23 share and asked if anybody wanted their
24 prorated share that was in ACP Partnership,
25 they called it Antelope County Partners, and

1 -- or if they -- if all the prorated share
2 wasn't taken up, if they wanted more of their
3 prorated share, or you could check you didn't
4 want any of it, three checkmarks. Alden was
5 right there with me, I didn't know a lot about
6 hogs, even though we'd been in this deal we
7 didn't have any control over it. I didn't
8 like what I saw and so I took him along or
9 asked him to go along.

10 Q. Okay. Has Alden Zuhlke ever owed
11 any interest in ACP?

12 A. No.

13 Q. When you made the decision to invest
14 any -- strike that. When Sunshine Ranch,
15 which you were president of, made the decision
16 to invest in ACP, was that decision to invest
17 discussed with the other shareholders?

18 A. My dad.

19 Q. Okay. Was there any -- were there
20 any documents signed in connection with that
21 decision between your dad and Sunshine Ranch?

22 A. Not that I'm aware of.

23 Q. I want to ask, and we'll get back to
24 ACP in a minute here, but I want to ask with
25 regard to some questions about the stock

1 certificates of Lisa. Did you ever -- have
2 you ever seen shares that are signed by Lisa
3 Zuhlke that have her signature on them?

4 A. You mean stock certificates?

5 Q. Yeah.

6 A. I don't think so, no.

7 Q. Okay. So, if we could look at the
8 stock registry -- so, what's been marked as
9 Exhibit 4 is the document you've identified as
10 the stock registry and we talked -- you
11 provided some testimony today about the actual
12 certificates that are held -- were held by
13 Lisa. I'd like to point you to a page here,
14 do you recognize that document?

15 A. Yes.

16 Q. Okay. And down at the -- it says
17 here, which just for the record, Sumner A.
18 Hall is custodian for Lisa Ann Hall under the
19 Nebraska Uniform Gift Act of -- Minor Act.
20 Did I read that correctly?

21 A. Yeah.

22 Q. Dated January 3rd of 1966, correct?

23 A. Yep.

24 Q. Okay. Do you recognize the
25 signature at the bottom of that certificate?

1 A. Yes.

2 Q. Okay. And whose signature is that?

3 A. My dad's.

4 Q. All right. For the record, have you
5 ever seen a certificate similar to what we're
6 looking at here concerning Sunshine Ranch that
7 has Lisa Zuhlke's name down at the bottom or
8 his signature?

9 A. No.

10 Q. No, okay. Do you dispute -- because
11 I understand that we're missing some
12 certificates, correct, is that what your
13 testimony was this morning?

14 A. I don't know where the rest of the
15 certificates are.

16 Q. Okay. Do you dispute that she's an
17 11 percent owner?

18 A. No.

19 Q. Okay. But to your knowledge, and
20 based on your testimony this morning to
21 confirm, all the certificates that you had in
22 your possession have now been turned over to
23 the trustee, correct?

24 A. All of her certificates.

25 Q. All of her -- excuse me, all of her

1 certificates.

2 A. Yes.

3 Q. Thank you. Okay. With regard to
4 the ownership of Sunshine Ranch, you testified
5 this morning that you held 11 percent interest
6 and then you also testified that you purchased
7 your grandmother's 4 percent interest; is that
8 correct?

9 A. Yeah.

10 Q. When was that interest purchased?

11 A. When she died in 1992.

12 Q. Okay. And do you know how much you
13 paid for that interest?

14 A. I don't remember.

15 Q. Do you think you paid something for
16 it?

17 A. Yes, I paid something for it.

18 Q. Would you have documents that
19 reflect the transfer of that interest to you?

20 A. My grandma's attorney through my
21 Aunt Ellen probably has those documents. I
22 could probably dig them up.

23 Q. Okay. And who's your -- who was
24 your grandmother's attorney; do you know?

25 A. I don't remember.

1 Q. Okay. And you think it was in 1992?

2 A. She died in 1992. They screwed with
3 me for over a year wanting several years of
4 income tax, all the records. I made an offer
5 right out of the gate for two pieces of land,
6 and some of the personal property that never
7 showed up, and the ownership of Sunshine Ranch
8 and they got through a year and they settled
9 for less than I offered.

10 Q. Okay. So --

11 A. I consider it history.

12 Q. So do I understand then, sir, so you
13 purchased not only the 5 percent interest from
14 your grandmother, but then a number of other
15 assets as well?

16 A. No, I purchased one piece of ground
17 that was pasture, we call it grandma's
18 pasture. Sunshine Ranch purchased a small
19 irrigated chunk of 106 acres because an REA
20 pole went through it, I didn't irrigate the
21 whole thing. The personal property
22 disappeared with my aunt.

23 Q. Okay. All right. So --

24 A. I got one piece of property and a 5
25 percent of grandma's share.

1 Q. Okay, for what you paid?

2 A. Yeah.

3 Q. Okay. And you don't recall what you
4 paid sitting here today?

5 A. (Witness shaking head no.)

6 Q. Okay. We had talked earlier about
7 the ownership in Sunshine Ranch and you had
8 indicated -- well, let me strike that.

9 Is Kevin Hall an owner of Sunshine
10 Ranch currently?

11 A. It's in here, yes.

12 Q. And you have no reason to dispute
13 that?

14 A. No.

15 Q. Okay. You had testified earlier
16 that Lisa Zuhlke every year signed some sort
17 of FSA form with regard to her income, do you
18 recall that testimony?

19 A. Sure.

20 Q. Are you provided a copy of that form
21 after she signs it?

22 A. No.

23 Q. Okay. So how do you know she signs
24 it?

25 A. That's the only way you can get a

1 government payment, you have to turn that in.
2 It's the only way Sunshine Ranch would get a
3 government payment is all the people that have
4 any interest in that entity sign this form and
5 check that they make less than this amount.

6 Q. Okay.

7 A. That's a requirement.

8 Q. Okay. So, to be clear, you have no
9 personal knowledge that she's actually signed
10 it other than your understanding of the
11 government payment?

12 A. I got the payment.

13 Q. You got the payment.

14 A. That the only way I could get the
15 payment.

16 Q. Thank you. Can we take a peek at
17 Exhibit 5? You had testified earlier, sir,
18 that this was a -- excuse me, the minutes of
19 the first meeting of shareholders of Sunshine
20 Ranch, okay?

21 A. Okay.

22 Q. I just want to be clear, you were
23 not personally at this meeting, correct?

24 A. You know what, my mom might have
25 been there and I might have been four years

1 old, I might have been there, but I don't
2 remember it.

3 Q. Okay. That's all I'm getting at.
4 That's all I'm getting at. All right, let's
5 keep going here. Let's take a look at --

6 A. What were you doing when you was
7 four years old? I know you're asking the
8 questions.

9 Q. All right. There was some property
10 that you had indicated that Sunshine Ranch
11 sold -- well, I just -- strike that. I want
12 to be clear.

13 From 2020 to 2025 sitting here
14 today, has Sunshine Ranch sold any of its
15 property?

16 A. That 20 acres of Coulters' to Doug
17 and Luann Hall with the okay written consent
18 through Ron Temple that they were okay with
19 the sale and the price.

20 Q. You anticipated my next question.
21 So, the written consent, do you have a copy of
22 that?

23 A. I probably do somewhere.

24 Q. Okay. And who do you understand
25 signed and consented to the sale?

1 A. Lisa Zuhlke, Kevin Hall, Kim Clark,
2 Sumner A. Hall.

3 Q. And can you provide me with a copy
4 of that written consent?

5 A. I could.

6 Q. Will you?

7 A. I suppose if you ask the judge for
8 me to do it, and if I'm in a good mood I'll
9 probably do it without the judge.

10 Q. Okay. Because I think as part of
11 the subpoena that was served on you, sir, we
12 asked for the consent and all the corporate
13 documents, so I think it's covered by the
14 order.

15 A. Okay, I'll supply it.

16 Q. Thank you. All right. All right.
17 Sir, we went through -- if we could go to
18 Exhibit 10.

19 A. I'm just looking at my text because
20 I think that one of them text me also, but
21 that is not going to -- with what you want,
22 so. . .

23 Q. Yeah, okay, if you got it that's
24 good enough if you can just e-mail it to me.
25 All right. We were looking at 10 and

1 Mr. Garden asked you some questions about an
2 investment in NECC; do you recall that?

3 A. Yes.

4 Q. Okay. So, NECC, Nick and Morgan he
5 asked you some questions about that. First
6 off, my question is when this real estate was
7 purchased?

8 A. What real estate?

9 Q. The NECC house.

10 A. It's not real estate, it's a house.

11 Q. Okay, I apologize. When the house
12 was purchased.

13 A. Yeah.

14 Q. Okay. Did you obtain any consent
15 from the shareholders with regard to the
16 purchase?

17 A. No.

18 Q. Did you inform any shareholders you
19 were making the purchase?

20 A. No.

21 Q. And is that true, sir, for all of
22 the other investments that are listed under
23 other non-current assets that you did not
24 inform any of the other shareholders that
25 those assets were --

1 A. Except my dad on ACP. I talked to
2 him about the Bowdish Soybean Plant. Talked
3 to him about a loan that they say is to me
4 because it comes up on the income tax every
5 year and he asked a question about that.

6 Q. Okay. So, other than your dad, did
7 you notify any other shareholders --

8 A. No.

9 Q. Hang on, let me just -- sir, I know
10 you want to get out of here, I get it, let me
11 just finish my question, okay? Did you notify
12 any other shareholders of the purchase of any
13 of the other non-current assets listed on
14 Exhibit 10?

15 A. No.

16 Q. All right. With regard to this loan
17 to Doug Hall, okay, it's indicated that you
18 owe Sunshine Ranch roughly \$447,000. Do you
19 dispute that amount?

20 A. No.

21 Q. What are the terms by which you will
22 repay that?

23 A. The government requires you to
24 charge at least a certain percent interest,
25 somewhere around 4 percent.

1 Q. Okay. Are you -- are you currently
2 making payments?

3 A. No, I haven't.

4 Q. When do you anticipate starting?

5 A. As soon as I make some money.

6 Q. Okay. And to be clear, is that loan
7 to you documented at all in writing?

8 A. No. And that might not be true, it
9 might be in the income taxes, a line item
10 saying, hey -- and Bernie might have put a
11 sheet in the income tax that said, hey, this
12 is an agreement loan, whatever.

13 Q. Okay. Also on Exhibit 10 you had
14 provided some testimony about this note
15 receivable in the amount of about 6.2 million
16 dollars; do you recall that testimony?

17 A. Yes.

18 Q. This amount as I understand it is
19 owed by ACP to Sunshine Ranch, correct?

20 A. Correct.

21 Q. What are the terms by which this
22 amount is going to be repaid?

23 A. Same terms as before, start making
24 some money in the pigs and pay back.

25 Q. Has this receivable at all or loan

1 from Sunshine Ranch been documented at all in
2 writing?

3 A. I think probably in the income tax
4 and on the line item.

5 Q. Was the receivable -- is this
6 receivable of 6.2 million dollars, was this
7 disclosed to the shareholders of Sunshine
8 Ranch?

9 A. No.

10 Q. All right. With regard to
11 Exhibit 10, I believe, and help me refresh
12 my -- there's a lot of information this
13 morning, help me refresh my memory. How was
14 the real estate value determined on
15 Exhibit 10?

16 A. Right here underneath the real
17 estate (indicating)?

18 Q. Yeah.

19 A. Well, the house was just bought
20 lately so it says real estate, and you
21 mentioned real estate earlier was just a
22 house, that's what they paid for it.

23 Q. Okay.

24 A. The Scott Clark deal, that's
25 probably what we paid for that piece of ground

1 when we bought it. The Coulter building says
2 150,000, that's for 20 acres, actually paid
3 166,000 for it, dryland, irrigated, half
4 pasture. The banker came up with his number
5 on that.

6 Q. Okay. And you don't know how the
7 banker came up with that number, do you?

8 A. No, I don't.

9 Q. Sitting here today, sir, do you have
10 an opinion as to the value of land that
11 Sunshine Ranch owns?

12 A. Sure I do.

13 Q. And what is that opinion?

14 A. The opinion is it depends on the
15 day, depends on whether or not they think the
16 tariffs are going to screw things up. Depends
17 on whether the next door neighbor wants to buy
18 a big chunk of 5,000 acres, whether or not it
19 has any cattle or cows to put in the pasture,
20 or whether or not you're just going to split
21 it off one-by-one.

22 Q. Okay. So, do I take it you don't
23 have an actual monetary or you can't quantify
24 your opinion of value?

25 A. If I spent a couple hundred thousand

1 dollars, I could get two certified appraisers
2 that would satisfy you or whoever wants to
3 know, and that's still might not be the value
4 on any given day.

5 Q. Understood. And that's why I'm just
6 asking your opinion, I get that. I'm just
7 asking your opinion.

8 A. And I said no.

9 Q. You don't have an opinion sitting
10 here today?

11 A. (No response.)

12 Q. Okay. Sir, I want to ask with
13 regard to the expenses of Sunshine Ranch, are
14 all the expenses -- strike that.

15 Mr. Garden showed you some ledger
16 information, Exhibit 22 and 23. I've handed
17 you what has been marked as Exhibit 22 and 23.
18 Do those documents contain all of the expenses
19 of Sunshine Ranch for years '22 and '23?

20 A. As far as I know. I don't know why
21 they wouldn't.

22 Q. Okay. With regard to the expenses
23 incurred by Sunshine Ranch, do any of those
24 relate to your personal farming operation?

25 A. No. I have my own company, Tractor

1 Ranch.

2 Q. Okay. So Sunshine Ranch doesn't pay
3 any amount that would otherwise --

4 A. Sunshine Ranch --

5 Q. That would otherwise be used for
6 your personal operation?

7 A. Sunshine Ranch has never paid me a
8 wage. Sunshine Ranch doesn't pay for my
9 farming.

10 Q. All right, sir, I'd like to hand you
11 what's been marked as Exhibit 27 I set in
12 front of you. All right, is this a copy of
13 the Sunshine Ranch tax return for 2023?

14 A. It looks like it.

15 Q. It indicates on here there's a line,
16 line 12, that says 'compensation of officers';
17 do you see that?

18 A. On which page?

19 MR. GARDEN: On which page?

20 Q. (Ms. Goodman) On the first page,
21 line 12.

22 A. Okay.

23 Q. Is that what -- who was the officer
24 that's being compensated in that amount?

25 A. I don't have any idea.

1 Q. Okay. But your testimony sitting
2 here today, it wasn't you?

3 A. As far as I know it wasn't me.

4 Q. And have you ever drawn a wage from
5 Sunshine Ranch?

6 A. No.

7 Q. Have you ever taken a distribution
8 from Sunshine Ranch?

9 A. No.

10 Q. All right. We talked a little bit
11 this morning about ACP, and I'm trying to just
12 get a feel for it because, again, the
13 information came fast and furious. So, at the
14 end of the day, sir, how much does Sunshine
15 Ranch end up paying for ACP for its ownership
16 interest?

17 A. I don't know. The number was, like,
18 42,000 -- 41,000, 42,500 a share, however many
19 shares there was.

20 Q. How does owning ACP benefit Sunshine
21 Ranch?

22 A. Last four years it doesn't.

23 Q. Okay. Is ACP currently up for sale?

24 A. Everything is for sale, but it's not
25 listed with anybody. I haven't advertised it

1 with anybody.

2 Q. When you say 'everything is for
3 sale' what do you mean by that?

4 A. The saying is everything is for sale
5 except my wife and kids, and we can negotiate
6 that.

7 Q. Okay. All right. So, in other
8 words, do I understand you correctly, if
9 somebody came and made an offer for it, you
10 would consider it?

11 A. Sure.

12 Q. All right. But you've done nothing
13 to list it or market it for sale?

14 A. No.

15 Q. Has there been a decision made by
16 Sunshine Ranch to market or list ACP for sale
17 at some point?

18 A. No.

19 Q. You had testified that in 2023
20 Sunshine Ranch made a 3.5 million dollar
21 capital contribution to ACP, do you recall
22 that testimony?

23 A. Yes.

24 Q. Were any of the shareholders
25 notified of that capital contribution?

1 A. No, except my dad.

2 Q. And do you know were there any
3 documents signed or executed in connection
4 with that?

5 A. Maybe in the income tax Bernie might
6 have did something there.

7 Q. Okay. But no formal agreement,
8 nothing like that?

9 A. No.

10 Q. All right. All right, sir, you had
11 asked -- you were asked some questions about
12 your discussions with Lisa and Alden Zuhlke
13 and you -- in those discussions you said you
14 continued to kind of advance the question to
15 the Zuhlkes about 'what is the plan', do you
16 recall that testimony?

17 A. Yes.

18 Q. You want to know the plan. Sir, I
19 guess I'm kind of curious, what plan were you
20 looking to hear, I mean, what were you wanting
21 to hear there?

22 A. It's not what I wanted to hear, what
23 I wanted to hear is what it's going to do to
24 affect Sunshine Ranch.

25 Q. Okay. So, in other words, you were

1 chatting with them because you were concerned
2 that somehow the trustee's receipt of this 11
3 percent was going to affect Sunshine Ranch?

4 A. Only to the tune of 1.7 million or
5 whatever number you guys came up with to try
6 to get me to offer that.

7 Q. Okay. And I want to be clear. When
8 you say 'you guys', who are 'you guys'?

9 A. So far you guys have said, well, it
10 was probably not any value and then you looked
11 at the -- I'm not saying you.

12 Q. Oh, okay. Yeah, you said 'you
13 guys', I just want to know who.

14 A. In public record it says, well, they
15 have land that has value of at least 18
16 million, I didn't give them that number. And
17 then you guys dig and dig and dig, I don't
18 know what number people are going to come up
19 with, but it does affect it because they want
20 somebody to do something with it. They want
21 somebody to come up and try to pay some of
22 this debt. And I was willing to try to see if
23 they had a plan to whether or not if I paid
24 this money maybe I would get the 11 percent in
25 return and be out of her hair. Maybe if their

1 debt was more than what somebody thought 11
2 percent was worth, maybe we would do something
3 different like get a piece of land or
4 something, too, because 4 million dollars is a
5 lot of damn money. And I don't think that
6 anybody in their right mind would give
7 4 million dollars for her 11 percent share.
8 So, I'm wondering if they had a plan.

9 Q. So, were you looking for Lisa and
10 Alden to somehow pay something or what was --

11 A. I was looking to see if they had a
12 plan. Just say to me, hey, this is our plan.

13 Q. Okay.

14 A. We're going to skip the next seven
15 or eight court dates, we're going to move to
16 Arizona and we're going to be gone. I don't
17 know what their plan is. Things have been
18 going on for several years.

19 Q. Okay. So, let's back up here. So,
20 with regard to the 4 million dollars that was
21 offered, I want to be clear, who offered that,
22 who is offering that?

23 A. Nobody did. I testified earlier
24 that I went to the bank and I applied for a 4
25 million dollar loan.

1 Q. On behalf of Sunshine Ranch or on
2 behalf of you personally?

3 A. Me personally.

4 Q. Okay. All right. And as I
5 understand your testimony, you were approved
6 for the loan at 4 million dollars, correct?

7 A. That's what I said.

8 Q. And with regard to that 4 million
9 dollars, what were your specific plans in
10 terms of an offer you were going to make the
11 trustee?

12 A. That was not an offer to the
13 trustee.

14 Q. No, I know, I understand that. I
15 understand there wasn't an offer made. I'm
16 asking what your plans were in terms of was
17 that for -- were you anticipating that
18 4 million dollars to redeem Lisa's 11 percent,
19 were there other assets involved in that?
20 Just kind of just walk me through what in your
21 mind that 4 million dollars was going to
22 achieve.

23 A. In my mind it's pretty black and
24 white. I said that I applied for a 4 million
25 dollar loan. They owed the bank 3.8 million

1 plus attorney fees, plus fees, plus federal
2 income tax, plus state income tax, plus
3 wherever else. I thought 4 million dollars
4 might save them from going to court, going to
5 jail, be accused of fraud, whatever else,
6 that's why I applied for it. Got approved the
7 day before they sold land at the sheriff's
8 sale in Antelope County, which Richard Garden
9 was there.

10 Q. Uh-huh.

11 A. The boys bought the land, the guy
12 bought a house, 711,000.

13 Q. Yeah.

14 A. That's what I thought.

15 Q. Okay. So --

16 A. In my mind.

17 Q. Absolutely, no, and that's what I'm
18 after. So, the 4 million dollars was in
19 effect to buy all the debtor's assets?

20 A. Not all the debtor's assets. To pay
21 off the bank.

22 Q. Okay. Pay off Rabo?

23 A. Yes.

24 Q. Okay. And what would you get in
25 return for doing that?

1 A. 11 percent.

2 Q. Okay. So it's for the 11 percent.

3 A. Maybe buy the land at the sheriff's
4 sale.

5 Q. Okay. Other than the 1.7 million
6 dollar offer that we saw in -- on Exhibit 26,
7 were there any other offers that Sunshine
8 Ranch, not you personally, Sunshine Ranch made
9 to redeem the 11 percent interest?

10 A. There was some verbal back and
11 forth, but I don't recall anything in writing.

12 Q. Okay. And what do you recall about
13 the verbal back and forth?

14 A. Between me and Ron Temple, my
15 previous counsel, about what the bank may or
16 may not accept.

17 Q. Okay. All right. But to your
18 knowledge did Ron Temple have any
19 conversations with either Phil Kelly or Dick
20 Garden about the offers that -- an offer that
21 you were going to make?

22 A. This one (indicating).

23 Q. All right. All right. Did -- and I
24 apologize, 1.7 million, that was on behalf of
25 Sunshine Ranch or you personally?

1 A. I hadn't decided.

2 Q. And have you discussed these offers
3 with any other shareholders of Sunshine Ranch?

4 A. Yes.

5 Q. Who have you discussed them with?

6 A. My brother, my sister, my
7 brother-in-law, my dad, my mom.

8 Q. Okay. And tell me about the
9 discussions.

10 A. I just showed them what this
11 paperwork looks like (indicating). I said,
12 'They're in debt this much. What do you think
13 about this?' You know what my brother said?
14 'Doesn't he remember, I wanted to build a new
15 auto parts store in Louisville, Nebraska. I
16 went to my banker and I said I have 11 percent
17 of Sunshine Ranch. He says it's worth
18 nothing. Closely held family corporation, no
19 dividends ever paid.' He said, 'Tell them to
20 go pound sand.'

21 Q. Okay. All right. So, did -- with
22 regard to the offer that was made, did they --
23 it sounds like they did not approve of you
24 making the offer on behalf of Sunshine Ranch;
25 is that correct?

1 A. I told them what I was going to do,
2 it never got accepted.

3 Q. Okay.

4 A. And what they forget to put in here
5 is there was a ten day deal there.

6 Q. What do you mean by that?

7 A. Only good for ten days, the offer
8 was good for ten days.

9 Q. Okay. And were there multiple
10 communications similar to this one between Ron
11 Temple, and the trustee, and Dick Garden; do
12 you know?

13 A. Not that I know of. They were
14 talking about what about, you know, whatever
15 the e-mails say, but this is the only one
16 probably with money that was in writing.

17 Q. Okay. But any e-mail with regard to
18 offers would have been sent through your
19 counsel, Ron Temple, at the time, correct?

20 A. That's correct.

21 Q. All right. Sir, if I could, I'd
22 like to hand you what's been marked as
23 Exhibit 27, I believe -- Oops, 28 sorry.

24 MS. GOODMAN: Here's a copy for you
25 (indicating to Mr. Garden).

1 Q. (Ms. Goodman) Here it is, right
2 here, 28. Do you recognize this document?

3 A. Yes.

4 Q. Okay. And can you explain what it
5 is?

6 A. Sunshine Ranch Company balance sheet
7 as of August 31st, 2024.

8 Q. Okay. And I want to ask, just
9 because I noticed the numbers differ a little
10 bit between this balance sheet and what is
11 listed in Exhibit 10, and so I want to just
12 ask if I understand why.

13 A. This is what the banker came up with
14 (indicating), this is what the accountant used
15 and got with the numbers that were supplied to
16 him.

17 MR. KELLY: Excuse me, what Exhibit
18 number is it?

19 MR. GARDEN: You probably don't have
20 it, Phil, it's Exhibit 28.

21 MR. KELLY: 28, and it's a balance
22 sheet?

23 MR. GARDEN: August 31, 2023.

24 A. 2024.

25 MR. GARDEN: Yeah, it's got '24 and

1 '23.

2 MS. GOODMAN: Yeah, and it's got an
3 income statement in the back as well.

4 Q. (Ms. Goodman) Let me ask some
5 questions here then. With regard to this
6 balance sheet, this shows a FSC note payable
7 of 1.2 million dollars as a current asset, do
8 you see that?

9 A. Well, I see it on your deal, I don't
10 know where it is here.

11 Q. Oh.

12 A. But Farm Credit Service.

13 Q. Yeah, right there (indicating). And
14 I just want to be clear, is that the same loan
15 that's on the balance sheet?

16 A. Yeah, it changes daily.

17 Q. Okay. All right. With regard to
18 the note from Doug Hall, the Doug Hall note,
19 that is not listed -- or it is actually --
20 strike that. Strike that.

21 All right. As we go through here,
22 I want to ask how were these values determined
23 under the fixed asset?

24 A. Depreciation is pretty easy, how
25 much we've depreciated. Land, they just have

1 a value that we might have paid for it.

2 Q. Okay.

3 A. Land and improvements, buildings and
4 improvements, what we might have paid for it;
5 equipment, what we paid for it; vehicles
6 purchased, what we paid for it minus the
7 depreciation, minus the accumulated depletion
8 comes up with the number.

9 Q. Okay. So, your understanding is
10 this is cost less depreciation is the value?

11 A. I don't know what cost less is.

12 Q. Let me ask this, who prepared these?

13 A. Bernie Auten; Auten, Pruss &
14 Beckmann, Norfolk, Nebraska.

15 Q. And as I understand from this
16 morning, you provide Mr. Auten the information
17 that gets compiled here, correct?

18 A. That's correct and I don't even have
19 to provide it, he gets it direct from Farm
20 Credit and the Brunswick State Bank.

21 Q. Okay. I want to go down here, let's
22 look at other assets. There's a note
23 receivable for Morgan and Katelyn Hall in the
24 amount of 153, which we talked about this
25 morning. What are the terms by which that's

1 getting repaid to the company?

2 A. It hasn't -- it has a sheet,
3 amortization sheet, I don't have it with me.

4 Q. And are they current?

5 A. They're current.

6 Q. And do you know what the term of the
7 obligation is?

8 A. You mean how long it's going to
9 last?

10 Q. Yeah.

11 A. Maybe another three or four years.

12 Q. All right. So, Husker Ag is
13 indicated on this balance sheet here on
14 Exhibit 28 is not on the Farm Credit
15 Exhibit 10. Is this -- when did -- as I
16 understand it, Sunshine Ranch at some point
17 divested from Husker Ag; is that correct?

18 A. As far as I understand, yes, but
19 there's been some confusion. Husker Ag has
20 given me and Sunshine Ranch a tax form every
21 year and for two or three years I've been
22 saying this is not right, and Bernie has been
23 trying to get to the bottom of what the heck
24 really happened there.

25 Q. Okay. Is it your testimony that

1 Sunshine Ranch still owns an interest in
2 Husker Ag?

3 A. No.

4 Q. Do you know, was the interest sold?

5 A. I think that I probably bought it,
6 but for some reason -- I've been up to Husker
7 Ag three times talking to them about it and
8 every time we got it straightened out and
9 every year it shows up again.

10 Q. What do you mean you bought it, from
11 Sunshine Ranch?

12 A. Bought it, something -- I don't know
13 how in the hell it happened, it's a lot of
14 years ago.

15 Q. Okay. So, is it your testimony
16 then, sir, that you personally purchased the
17 interest from Sunshine Ranch and Husker Ag?

18 A. I must have. I don't have any idea
19 how this thing happened.

20 Q. And you don't know sitting here
21 today how much you paid for it?

22 A. No.

23 Q. And just to be clear, do you know
24 why Husker Ag currently sits as of
25 August 31st, 2024, on the balance sheet for

1 Sunshine Ranch?

2 A. Because they still give us basically
3 an IRS form that says they paid, you know,
4 this much dividend or whatever, which they
5 didn't.

6 Q. Okay. So, you're receiving
7 documents from Husker Ag indicating that you
8 paid -- that they paid dividends to you?

9 A. To Sunshine Ranch.

10 Q. To Sunshine Ranch, okay. All right,
11 sir, if we compare 2010 to the balance sheet
12 of 2022 --

13 A. 2010.

14 Q. I'm sorry, of August 31st of 2022.

15 MR. GARDEN: What exhibits are we
16 comparing?

17 MS. GOODMAN: 28 and 10.

18 MR. GARDEN: Okay.

19 Q. (Ms. Goodman) The pictures look
20 different in terms of the amounts and the
21 numbers. I guess if I had to go off of --
22 well, how do I determine what Sunshine Ranch
23 owned as of '21/'22 timeframe?

24 A. (No response.)

25 Q. Would I look at what's on the Farm

1 Credit, is this Exhibit 10, is this the most
2 consistent asset listing as to what would have
3 been owned?

4 A. This is '25 (indicating).

5 Q. Yeah, understood, but I'm just
6 wondering because if I compare the document
7 ending in 1048, which relates to 2022, to the
8 balance sheet in 2025 --

9 A. 2022 to 2025 now, you're asking
10 about '21, '22 compared to '25, or what are
11 you asking?

12 Q. What I'm asking is if I look at
13 2022, the balance sheet for 2022, okay?

14 A. And I don't know where that is,
15 but. . .

16 Q. It's right here (indicating). It's
17 Exhibit 28 if you go to --

18 A. It says '24.

19 Q. If you turn the page though, sir,
20 and go down to 1048.

21 A. (Witness so doing.)

22 Q. Okay. If I compare this to the
23 balance sheet in 2025, which is Exhibit 10,
24 the numbers are dramatically different; do you
25 see that?

1 A. Okay, we got total assets 1.9
2 million.

3 Q. Uh-huh, yep. And if you take a look
4 at 2025, you're showing total assets of 19.4
5 million.

6 A. But this is what Bernie did and this
7 is what Farm Credit did.

8 Q. Okay. So I guess which one is
9 accurate?

10 A. Tell me what that piece of ground
11 over there is going to bring tomorrow
12 (indicating).

13 Q. I ask you the questions, which one
14 is accurate, is it the one in 2022 or the one
15 in 2010 -- or 2025, which is Exhibit 10?

16 A. I can't answer that. The bank used
17 his numbers that he's going to loan money
18 against, the accountant used numbers that
19 maybe where the land was purchased 50 years
20 ago.

21 Q. Okay. All right. Let's do it
22 another way. If I look at Exhibit 10, sir,
23 okay, it lists assets, non-current assets,
24 equipment, machinery, vehicles, land,
25 everything else. Is this a complete list of

1 assets that was owned by Sunshine Ranch in
2 2021 and 2022?

3 A. They added some machinery, probably.

4 Q. Okay.

5 A. I bought 20 acres from them. There
6 might have been some other back and forth
7 stuff, but as far as I don't know what you
8 mean by assets. Did we buy any more ground,
9 no.

10 Q. Okay. All right. So, other than
11 the 20 acres, the ground was the same that
12 Sunshine Ranch owned from 2025 to 2021, '22
13 timeframe?

14 A. Yes.

15 Q. All right. And then what about
16 equipment?

17 A. Might have bought and sold different
18 equipment.

19 Q. All right. But sitting here today,
20 sir, is the asset list in Exhibit 10 with
21 regard to the equipment, is that for the most
22 part what Sunshine Ranch owned in 2022?

23 A. 2022 they didn't own an Elmers grain
24 cart. It says right here \$67,000. 2022 they
25 didn't own a Claas 750 combine. 2022 they did

1 own those two things. They didn't own a Claas
2 740 combine. They didn't own a Vermeer mower.
3 They didn't own a Farm Aid 650, it says boot
4 on there, it's a feed wagon. They don't own a
5 24-inch squeegee, but they owned something
6 else they traded off for it, possibly.

7 Q. Okay. All right. So, even though
8 they didn't own this property in '21, '22,
9 they more likely than not owned something
10 similar?

11 A. Yes.

12 Q. All right. Sir, let me ask, has ACP
13 -- well, strike that.

14 If we can stay on Exhibit 28, sir.
15 And can you turn to page -- it starts at 1050
16 down at the bottom.

17 A. (Witness so doing.)

18 Q. All right. Is this a fair
19 representation of profit and loss for Sunshine
20 Ranch in years 2021, '22, '23 and '24?

21 A. Define 'fair'.

22 Q. Is it accurate?

23 A. It's what the accountant got and he
24 put together these numbers.

25 Q. Okay. All right. So, it appears

1 from these numbers that Sunshine Ranch was
2 operating at a loss, had a net loss every year
3 for the last three years; is that correct?

4 A. (No response.)

5 Q. If you look at page 3 if you go to
6 the very end, the very last page --

7 A. You told me to look at this page.
8 Negative in front of it means loss.

9 Q. Yes. That's what I understand it,
10 but is that accurate?

11 A. Yep.

12 Q. And is it fair to say that the only
13 reason that it's a loss, a net loss, is as a
14 result of the ACP activities?

15 A. Not necessarily.

16 Q. All right. So, let's dig into that.
17 If you turn to page 2, sir.

18 A. (Witness so doing.)

19 Q. It appears that the ACP activities
20 are --

21 A. Page 2, we're on a different page 2.

22 Q. All right, sir, I apologize. If you
23 go to the second to the last page of the
24 document. There it is.

25 A. (Witness so doing.)

1 Q. It appears that with regard to most
2 years, with the exception of one, the ranch
3 itself is operating at a profit, but for then
4 the ACP activities. Am I reading that
5 correctly?

6 A. You are.

7 Q. So, other than ACP activities, you
8 had indicated that Sunshine Ranch does
9 sometimes operate at a loss. What causes that
10 loss, do you know?

11 A. Price of corn, price of beans.

12 Q. Okay. Sir, with regard to ACP, has
13 it ever been profitable?

14 A. Yes.

15 Q. All right. What years was it
16 profitable? Was there a timeframe or a range
17 of years?

18 A. I thought we were talking about
19 Sunshine Ranch, but you want to include a
20 minority shareholder's interest in another
21 company, is that what you want me to answer?

22 Q. Well, I'm just asking the question,
23 sir, I would like to hear about the operations
24 of ACP. Has it ever been profitable?

25 A. Yes.

1 Q. What years has it been profitable?

2 A. I don't have them in front of me,
3 but I can give you an example. How much time
4 do we have?

5 Q. I mean, it seems like kind of an
6 easy question, I mean, if you don't recall if
7 it's ever been profitable or what years
8 then --

9 A. I said yes. This is the third time
10 now I've said yes.

11 Q. Okay. All right.

12 A. That doesn't mean I don't recall.

13 Q. Okay. So, what years?

14 A. The thing was bought, enough shares
15 to have somebody else run it in 2004. It had
16 a debt of its own which we bought from the
17 other shareholder plus the debt that was for
18 the place itself because it wasn't paid for.

19 Q. Uh-huh.

20 A. We had two debts there. I had an
21 idea that I could get the thing paid off in
22 three years. If you look at 2021, the thing
23 was paid off and had 2.6 million dollars in
24 the bank in a savings account drawing very
25 small interest, like .6 percent. At the time

1 there was a little bit of scare about people
2 scamming you out of your money or hacking into
3 your bank account. I was sitting there with
4 2.6 million dollars in the bank, only had them
5 try to hack it twice.

6 Then we had 2020 come along that
7 changed the way I thought about the whole
8 thing. Couldn't get rid of pigs, people I had
9 a contract with backed out and I said I'm
10 going to stack up the pigs, my dad said kill
11 them all, which in case you don't know that's
12 what some people did. They thought it was fun
13 for about the first three semi loads and then
14 it turned to a stinky bloody squealing screwed
15 up mess. People invited their friends over to
16 help shoot them. We didn't shoot them. I
17 said if I ever get through this I'm either
18 going to sell this damn place, or I'm going to
19 raise genetics for another company basically
20 to raise gilts, or I'm going to become a
21 preacher. I picked the wrong choice.

22 Q. Okay. So, with regard to the
23 operations of ACP, it sounds like they were
24 profitable at one point, but for the last five
25 years, as I understand it, ACP has not been

1 profitable?

2 A. Four to five years.

3 Q. Four to five years, okay. At the
4 time that it was profitable was it paying
5 distributions at all?

6 A. We paid some distributions.

7 Q. And who received those
8 distributions?

9 A. Sunshine Ranch, Doug Hall, the other
10 two partners.

11 Q. Can I ask is there some reason why
12 Sunshine Ranch has never paid distributions to
13 shareholders?

14 A. Yes, there is.

15 Q. Why is it?

16 A. In about a month and a half we have
17 owned the same piece of ground, the Halls, for
18 100 years. We are farmers. I know you don't
19 see the relevance in this. When they started
20 Sunshine Ranch, my dad, and my grandpa, and my
21 grandma put everything they owned into it, and
22 there was a unwritten law that said you don't
23 sell it. And we just kept growing it.

24 And if you're going to grow, you
25 can't pay the other siblings to squander the

1 money away or you just sit there. And then
2 when the hierarchy dies, like my dad, they all
3 come and get some attorney to break it all up,
4 and that was not what my grandpa wanted and
5 it's not what my dad wants, it's not what I
6 want, but I'm the third generation.

7 First generation makes it, second
8 generation tries to keep it, the third
9 generation loses it. I'm the third
10 generation.

11 Q. All right.

12 MS. GOODMAN: I'm going to go ahead
13 and mark this as well, if I could.

14 (Exhibit No. 29 was marked.)

15 Q. (Ms. Goodman) All right. Sir, so
16 I'm handing you what's been marked as
17 Exhibit 29. Do you recognize this document?

18 A. Sure.

19 Q. All right. What is -- can you just
20 explain what it is?

21 A. It basically reports the acres, and
22 the yield, and the share of this entity at the
23 Farm Service Agency.

24 Q. Okay. And so does this set of
25 documents relate to Sunshine Ranch?

1 A. It says Sunshine Ranch Company on
2 top (indicating).

3 Q. Perfect. And is this --

4 MR. KELLY: Excuse me, what is it?

5 A. Sunshine Ranch Company on top.

6 MR. KELLY: Sunshine -- okay, what's
7 the document?

8 A. Report of Commodities Farm Summary.
9 You do that at the FSA, they printed this off.

10 MR. KELLY: Commodity form summary?

11 A. Report of Commodities Farms Summary.

12 MR. KELLY: Thank you.

13 Q. (Ms. Goodman) All right, sir, and
14 what year is this for?

15 A. 2024.

16 Q. Okay. So, do I understand that
17 there would be a similar report for 2023, and
18 2022, and 2021?

19 A. If I signed up for the program, if I
20 did sign up for the program, which I did.
21 You're going backwards I thought you was going
22 to go frontwards.

23 Q. Okay.

24 A. Yes, there is.

25 Q. Okay. Could you produce to me the

1 reports for 2021, 2022, 2023?

2 A. You already ordered me to, I guess I
3 could.

4 Q. Okay. Perfect. How do these
5 yields -- just if you can recall, and if not
6 it's no big deal, I'll get the documents, but
7 how do the field reflected in this report in
8 Exhibit 29 compare to what was produced by
9 Sunshine Ranch in 2022?

10 A. The yields are set by this office.

11 Q. Okay. Okay. So, help me understand
12 this, sir, does this reflect the --
13 essentially the results of the farming
14 operation for Sunshine Ranch?

15 A. No, this is -- it says right here,
16 what was this, pasture, identify where the
17 crops were put.

18 Q. Okay.

19 A. And then they add it all up, how
20 much was dryland, how much was irrigated, and
21 when you see these other names here, they
22 basically rented the pasture, Lucas and Don
23 50/50.

24 Q. Okay.

25 A. And that's why their names are up

1 here in front. Travis and Todd rented some
2 pasture.

3 Q. Got it. So does this tell us how
4 much --

5 A. No.

6 Q. -- yield?

7 A. You just reported to them your acres
8 that you planted.

9 Q. Okay.

10 A. And you reported, yes, in the last
11 few years you started to have to certify the
12 pasture.

13 Q. Okay.

14 A. So, that's why the pasture is there.
15 If I didn't plant that pasture this year, you
16 have to certify it.

17 Q. So if I wanted to understand how
18 much corn, beans, crops Sunshine Ranch
19 produced on an annual year, where would I
20 look?

21 A. You asked for all of the sheets, all
22 of the scale tickets, I gave you one year's.

23 Q. Yep.

24 A. And then I asked the grain company
25 can you help me out, we can give you a

1 summary, and I gave that to you, of the years
2 that you asked for.

3 Q. Okay. So, I would look to the scale
4 tickets and the grain summary?

5 A. Scale tickets for this year, the
6 summary is the sum of several years.

7 Q. Okay.

8 A. Do you have that or do you need
9 that? It came from J.E.M. Meuret Grain
10 Company.

11 Q. Okay. I'll look and if I don't, I
12 will get back to you, but I will look. All
13 right. Let's see here. Just a few more here.
14 Did Sumner A. your father, has he formally
15 stepped down from running the company?

16 A. I don't know what you mean by
17 'formally'.

18 Q. I mean, I guess, he's still an
19 officer, correct?

20 A. Correct.

21 Q. Does he -- what role does he have
22 currently in running the company?

23 A. Drives around in his 2024 pickup and
24 aggravates the shit out of us.

25 Q. All right. All right. All right, I

1 want to look at Exhibit 25 here. Exhibit 25
2 is a stack of photos that it's my
3 understanding you produced to Dick Garden and
4 the trustee; is that correct?

5 A. I did to Dick Garden.

6 Q. To Dick Garden, all right. First
7 off, does Sunshine Ranch claim an ownership in
8 any of the property listed in Exhibit 25?

9 A. No.

10 Q. Okay. Do you personally claim an
11 interest in any of the property?

12 A. No.

13 Q. Okay. Other than your internet
14 research, do you personally know who owned any
15 of this property?

16 A. It says on the registration on the
17 pickups that I produced.

18 Q. Okay. And when you looked at the
19 registration, did you have permission from the
20 owner to go into the trucks to review the
21 registration?

22 A. It was sitting on a property that
23 wasn't owned by them, for several months, this
24 one right here was (indicating).

25 Q. You didn't answer my question. When

1 you went in to re --

2 A. I knew where this was going, no.

3 Q. You did not have permission?

4 A. Nope.

5 Q. Okay. You referenced several
6 instances when you took pictures of property
7 that were located on the, quote, Blair
8 property; do you recall that?

9 A. Yep. Yep.

10 Q. Did the owner give you permission
11 from -- the owner of Blair property give you
12 permission to enter their land to take photos?

13 A. No. I don't know who the owner is.

14 Q. Do you know -- do you know whether
15 the property sitting on the Blair property
16 belongs to the owner of the Blair property?

17 A. It's pretty evident in the
18 registration with the Court records at the
19 courthouse who it's registered to, titled to.

20 Q. Okay. Prior to walking onto the
21 Blair property without permission, did you
22 know who owned this property?

23 A. I didn't know who owned the property
24 that was the Blair property, no.

25 Q. Okay. With regard to the property

1 in Exhibit 25, prior to entering the Blair
2 property without the permission of the owners,
3 did you --

4 A. Which owners, the owners of this
5 (indicating) or the owners of the property?

6 Q. The owners of this (indicating).

7 A. Okay.

8 Q. Exhibit 25, the pictures in here.
9 Prior to entering the Blair property without
10 the permission --

11 A. This is not the Blair property
12 (indicating).

13 Q. You identified numerous pieces of
14 property --

15 A. That's correct.

16 Q. -- in Exhibit 25.

17 A. Right.

18 Q. Okay. So, with regard to the
19 property you identified in Exhibit 25 that you
20 purportedly took photos of standing on the
21 Blair property, correct?

22 A. This is not the Blair property. I'm
23 going to say it again.

24 Q. We can go through this one-by-one if
25 that's what you want to do.

1 A. No, I'm just wondering what your
2 question really is.

3 Q. I'm asking you --

4 A. Did I ask permission of anybody to
5 walk on here. This one right here the guy
6 turned out his cows in. The guy that owns it,
7 the property, turns his cows out in there. He
8 says there's pickups up here that say Diamond
9 Z on it. I drove up there and there it was.

10 Q. So, you talked to the property owner
11 of the property that this Exhibit -- this
12 truck is sitting on?

13 A. Yes.

14 Q. Okay.

15 A. He was turning his cows out there.

16 Q. Okay. And does --

17 A. His wife and his kids were making
18 the fence.

19 Q. Okay. He gave you permission to
20 come on and take pictures?

21 A. He didn't say you can take a
22 picture.

23 Q. Okay.

24 A. You think that's funny. He said
25 there's property up here that says Diamond Z

1 on it. I can read (indicating).

2 Q. So, did somebody call and notify you
3 of this Diamond Z property?

4 A. The guy said he was turning in his
5 cows in there and he saw it.

6 Q. I understand. Did he call you, sir?

7 A. Yes.

8 Q. He called you?

9 A. Yes.

10 Q. Doug Hall?

11 A. Yes.

12 Q. And said I'm turning my cows out
13 onto this property?

14 A. Yeah.

15 Q. He actually -- he picked up the --
16 how did he know to call you?

17 A. I know him.

18 Q. Okay.

19 A. It has the same damn last name as
20 those two back there (indicating). They're
21 concerned about this whole deal, too. If you
22 think it's just me and a few little people
23 around here, there is a bunch of people
24 concerned about this and that same last name
25 as those people.

1 MS. GOODMAN: I'm going to move to
2 strike as not responsive. There's no pending
3 question. Should we take a break here?

4 A. We don't need to take a break, let's
5 go. In case you don't know, it's the farming
6 season. You think it's funny, it's not.

7 Q. (Ms. Goodman) I don't think it's
8 funny, sir. I just am trying to understand
9 what your basis is to conclude that this
10 property belongs to Alden and Lisa Zuhlke.

11 A. (Indicating).

12 MR. GARDEN: Let the record reflect
13 that the witness is pointing to two
14 registrations.

15 MS. GOODMAN: Two registrations.

16 A. One says Diamond Z Farms, one says
17 Alden and Lisa Zuhlke.

18 Q. (Ms. Goodman) Okay. And I also want
19 the record to reflect in order to get the
20 registration, did you have to go into the
21 vehicles of these -- inside of these vehicles?

22 A. Yep.

23 Q. And you didn't have permission from
24 any of the owners to get that?

25 A. Nope.

1 Q. Did you have permission, sir, to
2 enter the Plainview property where you
3 found --

4 A. Nope. You think it's funny, I
5 don't. . .

6 Q. Sir, have you reviewed the replevin
7 documentation that was filed by Rabo with the
8 State Court?

9 A. Explain what replevin and what
10 document you're talking about.

11 Q. So, it's my understanding that Rabo
12 sought to actually replevin all the personal
13 property of Alden and Lisa Zuhlke, are you
14 familiar with that at all?

15 A. Replevin means repossess?

16 Q. Yes.

17 A. Yes.

18 Q. Okay. Have you reviewed the Court
19 filings in connection with that replevin?

20 A. I seen most of them, maybe all of
21 them.

22 Q. Okay. Have you compared those court
23 filings to the property that has been
24 identified in Exhibit 25?

25 A. No.

1 Q. Sir, do you -- are you employed by
2 Rabo?

3 A. No.

4 Q. Is Rabo or the trustee currently
5 paying you for your time?

6 A. No.

7 Q. Have Rabo or the trustee made any
8 promises to you in connection with your -- the
9 assistance that you're providing to them in
10 this case?

11 A. No, I'm not providing assistance and
12 I'm not getting paid. I have my own interest
13 to look after. And you think that's funny.

14 Q. Well, I want to ask, does your own
15 interest have anything to do with this
16 property sitting in Exhibit 25?

17 A. At one time if I was going to buy
18 out Lisa's 11 percent interest, which the
19 trustee has ownership of.

20 Q. Uh-huh.

21 A. And some of their assets, if the
22 Sheriff would have done his job and
23 replevined, as you say, repossessed this stuff
24 or some of it, it would lessen the amount to
25 buy out Lisa's share and to pay off the bank.

1 Now, you think that I just dropped out of the
2 sky and did this, this thing has been going on
3 for several years. I didn't just go up there
4 and haphazardly do it, this stuff has been
5 sitting around, nobody is doing their job in
6 this deal.

7 Q. Have you talked, sir, to any
8 investors or individuals who may be interested
9 in purchasing the 11 percent interest?

10 A. No.

11 Q. You had indicated earlier in your
12 testimony that there was a threat that was
13 made around the time that you were
14 contemplating this 4 million dollar loan, do
15 you recall that at all?

16 A. A threat?

17 Q. Yeah, there was a threat with regard
18 to Sunshine Ranch.

19 A. A threat, explain this.

20 Q. That was the word -- I wrote it
21 down, that was the word I heard this morning;
22 do you recall that testimony?

23 A. I recall all my testimony, but I
24 never said 'threat'.

25 Q. Okay. All right. So, you don't --

1 at no point in this have you ever felt as
2 though Sunshine Ranch was threatened at all by
3 the bankruptcy of the Zuhlkes?

4 A. Sure it is.

5 Q. Okay. So, what do you mean by --
6 what do you -- explain that.

7 A. I tell you what, I'll do what the
8 John Deere dealer told me once, 'Your dad
9 doesn't believe in doing any estate planning,
10 I want you to send him in here.' He said,
11 'I'll tell him to sign a check and then I'll
12 write out what I think the estate is.' Dad
13 said, 'I'm not going to do that.' You write
14 out, sign the check and I'll write a check
15 deal for 1.7 million, and if that bothers you,
16 it bothers Sunshine Ranch, it bothers me that
17 I might have to somehow cough that up, but I
18 said the hell with it, you guys can have it.
19 It's a big damn number.

20 Q. Okay. What's a big damn number?

21 A. 1.7 million.

22 Q. I want to just be clear on a few
23 other items just with regard to you gave some
24 testimony about Z Brothers and Swine 84; do
25 you recall that?

1 A. Yes.

2 Q. Have you ever been a partner in
3 either of those two entities?

4 A. No.

5 Q. All right. So, you have -- have you
6 ever been to a meeting --

7 A. No.

8 Q. -- with regard to either of those
9 entities?

10 A. No.

11 Q. All right. So sitting here today,
12 you have no personal knowledge as to the
13 business, the shareholder affairs, anything
14 with regard to either of those two entities,
15 correct?

16 A. That's not true.

17 Q. Okay. So, what isn't true about
18 that?

19 A. I've never been to a shareholder
20 meeting.

21 Q. Okay.

22 A. Don't have any interest in it.

23 Q. Okay.

24 A. But I do have some personal
25 knowledge about it.

1 Q. Okay, where did you get that
2 personal knowledge from?

3 A. Testified about it today on Z
4 Brothers. Three brothers bought out a quarter
5 of ground.

6 Q. Okay. But you weren't part of that
7 transaction, were you, sir?

8 A. No. Testified that Kuhlman and I
9 talked. Kuhlman didn't think he had any
10 problem with this deal, thought he had a
11 bulletproof contract. I testified about that
12 this morning.

13 Q. All right.

14 MS. GOODMAN: Let's take a quick
15 break here. I may have just a few more and
16 then I don't know if you have any.

17 MR. GARDEN: Phil, what do you have?

18 MR. KELLY: I have a few questions.

19 MR. GARDEN: All right, I'm going to
20 stand up.

21 A. I'm ready.

22 MS. GOODMAN: Well, can we take just
23 a quick break here -- oh, Phil is going to go
24 now. All right, go ahead.

25

EXAMINATION BY MR. KELLY

1 Q. It's good to see your face, we
2 talked on the phone on one occasion after you
3 dropped off the corporate records.
4

5 A. How's the knee, how's the knee?

6 Q. My knee is three weeks out today
7 from being replaced.

8 A. Garden is laughing.

9 Q. Yeah.

10 A. The reason I say that is because a
11 neighbor did his knee and he didn't exercise,
12 he didn't take physical therapy enough, and he
13 had to go in and get knocked out and then the
14 hospital straightened it out, it wasn't any
15 fun.

16 Q. Well, I'll give you the full report,
17 I can go forwards and backwards on the
18 bicycle, and I got 100 degrees in flexion
19 already.

20 A. And I had a hip replaced a little
21 over a year ago.

22 Q. Okay. Now let's talk about the
23 questions. Could you find the exhibit that is
24 the number 5 for me, the shareholder minutes
25 for Sunshine?

1 A. I got it.

2 Q. Do you have that there?

3 A. Yes.

4 Q. So, I got an e-mail on March 21st
5 from Brad Easland where Lisa Zuhlke was
6 apparently representing to him so that he
7 could represent to me that -- and I'm
8 paraphrasing here, 'She's never received any
9 money, dividends, or a K-1, or any other
10 documents regarding Sunshine Ranch, and she's
11 never attended an annual meeting for the
12 corporation, and knows very little about
13 Sunshine Ranch.'

14 So, in Exhibit 5 towards the end, go
15 find the January 1989 stockholder minutes.

16 A. (Witness so doing.)

17 Q. And look at the '89 and '90 minutes.

18 A. That's almost to the end.

19 Q. Close to the end.

20 A. I've got '89.

21 Q. Yeah. The Waiver of Notice of
22 Annual Meeting of Shareholders of Sunshine
23 Ranch dated January 2nd of 1989. Did you find
24 that?

25 A. Yep.

1 Q. Okay. Is Lisa Zuhlke's signature on
2 that as a shareholder?

3 A. It does appear to be.

4 Q. Okay. Then let's go to the minutes
5 for January 2nd, 1989. Right at the top there
6 it says, 'The following being all of the
7 shareholders of the corporation were present.'
8 And does it list Lisa Zuhlke?

9 A. Yes.

10 Q. Okay. And on towards the -- that's
11 signed by the secretary. And this set of
12 minutes has just kind of a catch-all
13 resolution, doesn't it, where the stockholders
14 approve all the acts that have happened in the
15 previous year?

16 A. Yes.

17 Q. Okay. So, let's go to the
18 January 2nd, 1990, Waiver of Notice of Annual
19 Meeting. Did Lisa Zuhlke sign that waiver?

20 A. It looks like it, yes.

21 Q. Okay. And would it be the practice
22 that these would be signed at the meeting?

23 MS. GOODMAN: Objection, foundation.

24 Q. (Mr. Kelly) Were you at the meeting?

25 A. Are you talking to me, Doug Hall?

1 Q. Yeah, Mr. Hall, were you at the
2 meeting?

3 A. This is the --

4 Q. In January of 1990?

5 A. This was just a form, there was no
6 meeting.

7 Q. Okay. But the waiver, did you sign
8 the waiver also?

9 A. Yes.

10 Q. Okay. All right. And was it -- did
11 you attend that meeting?

12 MS. GOODMAN: Objection, form and
13 foundation -- well, no foundation, just form,
14 just form.

15 Q. (Mr. Kelly) Tell me what you recall.

16 A. This is like a form that you fill
17 out, not all of these people were together, I
18 wasn't at a meeting.

19 Q. Is that your signature though?

20 A. Yes.

21 Q. So, would it have been passed
22 around, perhaps, before the meeting for
23 everybody to sign?

24 A. Perhaps before, who knows. I can't
25 remember.

1 Q. Do you recognize your father's
2 signature?

3 A. Yes.

4 Q. Okay. Is that his signature?

5 A. Yes.

6 Q. And then the minutes there January
7 2nd, 1990, does it, again, list Lisa Zuhlke as
8 being present?

9 A. Yes.

10 Q. And then there's attested to by
11 Sumner Hall as the secretary; is that correct?

12 A. Well, he signed it and it says
13 shareholder. It says secretary on the second
14 page.

15 Q. Yeah. So, after 1990 it appears as
16 if there were no regular stockholder meetings?

17 A. That is probably correct.

18 Q. All right. But at least we've got
19 evidence here of two meetings that Lisa would
20 have signed a waiver concerning an annual
21 stockholders meeting; do you agree with that?

22 A. Yes.

23 Q. Okay. Which members of your family
24 relied -- have relied upon over the years the
25 resources of Sunshine Ranch to pay their

1 living expenses?

2 A. I don't know how far to back up
3 there, but I guess what I'm saying is from
4 1966 until 1991 or somewhere close to that, my
5 dad's mission was -- fell on my shoulders and
6 my family was to pay off his siblings who
7 didn't have shares or stock certificates in
8 the company and every year some of those bonds
9 came due --

10 Q. Okay.

11 A. -- and to pay for any acquisitions
12 we made. So, that was our mission, to pay off
13 dad's siblings. After that I was doing my own
14 stuff, Sunshine Ranch was growing, I had my
15 own land, had my own income, had my own
16 machinery, approved through the FSA because
17 you had to prove that you was a farmer. My
18 brother left in 1991. One sister probably got
19 married -- Lisa got married sometime in the
20 early '80s. Kim probably got married sometime
21 in the mid to early '80s. So, nobody really
22 relied on Sunshine Ranch, we just grew it.

23 Q. So, are you saying that living
24 expenses, for example, for your parents, were
25 they provided by Sunshine Ranch?

1 A. No, dad had his own land, too.

2 Q. Okay. Did you ever take money out
3 of Sunshine Ranch to pay your living expenses?

4 A. Not for the living expenses.

5 Q. And what expenses did you pay out of
6 Sunshine Ranch for yourself?

7 A. Basically there's a loan and it's in
8 the income tax and in the balance sheet.

9 Q. Okay.

10 A. Now, it says -- there's a \$42,000
11 something that Lauren brought up, I do not
12 know what that is and I'll have to figure out
13 what the identity of that is.

14 Q. Okay. Would you find Exhibit 21,
15 please, the tax return?

16 A. I probably have it here.

17 MS. GOODMAN: Here it is
18 (indicating).

19 A. Okay, got it.

20 Q. (Mr. Kelly) Okay. Someone referred
21 to line 12 which is officer salaries.

22 A. Yeah, and that's what I was
23 referring to.

24 Q. Okay. What's the amount of officer
25 salaries on line 12 of the tax return?

1 A. I thought it said 42,000 something.
2 It says 70,000.

3 Q. Okay. So, 70,000 was paid in
4 officer salaries in 2022?

5 A. It says compensation of officers.

6 Q. So, \$70,000 in 2022?

7 A. Yep.

8 Q. Who were the officers in 2022?

9 A. Sumner A. Hall and Douglas Alan
10 Hall.

11 Q. Okay. How much of that \$70,000 did
12 you receive as a compensation?

13 A. I don't know, I'd have to look.

14 Q. But do you agree that you got
15 something as an officer salary in 2022?

16 A. No, I don't agree with that.

17 Q. Did it all go to your father?

18 A. I doubt it. I'll have to research
19 that.

20 Q. Are you the only two officers in
21 2022?

22 A. Yes.

23 Q. So, logically can't we assume that
24 between you and your father you got some -- he
25 got some portion potentially and you got some

1 portion potentially of \$70,000?

2 A. I'm not going to assume any of that
3 until I research it.

4 Q. Okay. That's what the tax return is
5 showing.

6 A. I know that.

7 Q. Okay. All right. I understand from
8 listening to the testimony this morning and
9 this afternoon that for a number of years you
10 have simply run Sunshine Ranch and making all
11 the decisions without consulting any
12 stockholders; is that correct?

13 A. Yes, except my dad.

14 Q. Okay. How much of the corporation
15 does he own?

16 A. 47 or 49 percent it says here in one
17 of these deals right here somewhere.

18 Q. Okay.

19 A. Somebody can dig it up.

20 Q. All right. So you really haven't
21 talked to the other stockholders since 1990,
22 is that fair to say, about the operations?

23 A. No.

24 Q. What would be fair?

25 A. You say what would be fair?

1 Q. Yeah, my question was you really
2 haven't talked to the other stockholders since
3 after 1990 because there's been no
4 stockholder's meetings about the operations?

5 A. And I said no.

6 Q. 'No' you're agreeing with me, or
7 'no' you're disagreeing with me?

8 A. I'm agreeing with you.

9 Q. Okay. Thank you. Is your father
10 still involved in the day-to-day operations or
11 does that all fall onto you now?

12 A. He's going to be 92, up until two
13 years ago him and I worked side-by-side all
14 our life.

15 Q. Okay. So, for the last couple of
16 years you've been the sole decisionmaker and
17 operator of --

18 A. Not necessarily. He's still around,
19 he still comes to the farm, sometimes he runs
20 a tractor, but he told me three days ago his
21 farm up in Verdigre, he didn't think he could
22 handle it this year.

23 Q. When did you first become aware of
24 the land sale from the debtors to their
25 children?

1 A. Maybe last summer.

2 Q. Okay. And it's correct, I think, in
3 looking at the documents, there's no buy/sell
4 agreement for stockholders; is that correct?

5 A. I haven't studied it, but I believe
6 you're correct.

7 Q. Okay. There's no restrictions on
8 the sale of stock?

9 A. Not that I know of.

10 Q. Okay. And as I understand, Mr.
11 Hall, you are proud that your farming legacy
12 in the Hall family is almost at 100 years; is
13 that correct?

14 A. That's correct.

15 Q. And you are -- you want to make sure
16 that that Hall legacy and ownership of this
17 land continues?

18 A. That's correct.

19 Q. Okay. And you're concerned that
20 Lisa Zuhlke's 11 percent, 11 and a half
21 percent or whatever it is, it's possibly going
22 to affect that legacy, aren't you?

23 A. Yes.

24 Q. Okay. Because there's a potential
25 if something doesn't get solved here that

1 there may be another owner of that portion of
2 the family stock?

3 A. Yes.

4 Q. And that's something you want to
5 prevent?

6 A. Up until I got rid of my legal
7 counsel that was true, now I don't really
8 care.

9 Q. Okay. Do you care if Sunshine Ranch
10 continues?

11 A. Yes, I do.

12 Q. Okay. Do you recognize any risk
13 that Sunshine Ranch may not continue?

14 A. Every day, and this compounded. Do
15 you want to comment? Go ahead.

16 Q. Are you still willing to try to work
17 towards preserving Sunshine Ranch?

18 A. Yes.

19 Q. Okay. So, the door is still open to
20 try to resolve some of these claims involving
21 Lisa's stock, would that be true?

22 A. Yes.

23 Q. All right.

24 MR. KELLY: That's all the questions
25 I have for the moment.

1 MR. GARDEN: I just have a couple of
2 follow-ups.

3 **EXAMINATION BY MR. GARDEN**

4 Q. Mr. Hall, you mentioned the brother
5 was told that his stock in Sunshine was
6 worthless, who told him that?

7 A. Worthless if he wanted to use it to
8 borrow money.

9 Q. Okay. Did you ever tell Lisa Zuhlke
10 that her stock in Sunshine was worthless?

11 A. No.

12 Q. Did you ever hear your father tell
13 Lisa Zuhlke that her stock in Sunshine was
14 worthless?

15 A. No.

16 MR. GARDEN: I have no further
17 questions.

18 MS. GOODMAN: I have a few.

19 **EXAMINATION BY MS. GOODMAN**

20 Q. Has Sunshine -- we just heard some
21 questions from Mr. Kelly with regard to the
22 legacy of Sunshine Ranch and your interest in
23 preserving that and preserving the ownership
24 structure. Let me ask this, has Sunshine
25 Ranch considered selling its assets or a

1 portion of its assets in order to redeem Lisa
2 Zuhlke's 11 percent interest?

3 A. No.

4 Q. And is there some reason why not?

5 A. It hasn't got to that drop-dead
6 point yet.

7 Q. Okay. Has Sunshine Ranch attempted
8 to obtain a loan to redeem Ms. Zuhlke's
9 11 percent interest?

10 A. No.

11 Q. Does Sunshine Ranch, in your
12 opinion, have the wherewithal to obtain a loan
13 in order to redeem Ms. Zuhlke's 11 percent
14 interest?

15 A. Yes.

16 Q. And is there some reason why
17 Sunshine Ranch hasn't gone down the avenue of
18 obtaining that loan?

19 A. Yes.

20 Q. What is it?

21 A. The reason I applied for the loan on
22 my own is because we wouldn't have to have a
23 shareholders' meeting, we wouldn't have to
24 amend whatever the extra paperwork to possibly
25 have Sunshine Ranch buy it. And then what

1 would Sunshine Ranch do with it, it's Sunshine
2 Ranch's 11 percent, what good is that? Offer
3 it to all the kids that are still around, my
4 dad is 92, their prorated share? What would
5 that prove? That's why I applied for the loan
6 on my own.

7 Q. Okay.

8 A. I am not GM, I'm not Nucor, I'm not
9 publicly traded.

10 Q. All right, sir, I've got a couple
11 more questions and then a more general
12 question about that box in the corner
13 (indicating). If we could look at Exhibit 28.

14 MR. GARDNER: It's this one
15 (indicating).

16 A. Right here?

17 MR. GARDNER: Yep.

18 Q. (Ms. Goodman) Okay. If we could
19 turn, sir, down to the page that's labeled
20 1050.

21 A. (Witness so doing.)

22 Q. All right. I want to just ask you
23 about a few of these line items. So, the
24 first one it says 'rent income', do you see
25 that line, it's got a number 389 by it?

1 A. Yep.

2 Q. All right. In 2021/2022 timeframe
3 you show 143,000 roughly of rent income and
4 then that jumps to 1.1 million the next year
5 and then back down to around 117,000 the next
6 year. Is there some -- what was the reason
7 for that fluctuation?

8 A. I can't recall.

9 Q. Okay. Same similar question now
10 with regard to contract labor, it's expense
11 515. We show 23,000 the first year, 32,000
12 the next year, but then we jump up in the
13 third year to 192,000; do you see that?

14 A. Yep.

15 Q. Was there something going on in
16 2023/2024 that resulted in the increase
17 contract labor expense?

18 A. Might have had a hired man. Might
19 have had some other stuff done, some type of
20 contract labor.

21 Q. All right. So, is your answer you
22 don't know sitting here today?

23 A. I don't know right now, no.

24 Q. Okay. What about going down to 535,
25 fertilizer and chemical. It looks like in one

1 year -- in the first year we've got 497,000
2 roughly of chemical expense, but then it goes
3 down to 41,000 the next year, and zero the
4 next year. Can you explain the variation of
5 the year there?

6 A. Sometimes you prepay, sometimes you
7 don't.

8 Q. So is your testimony that there was
9 a prepaid expense that went out that year?

10 A. It could have been.

11 Q. All right. And then going to the
12 next page, so now we're on 0150.

13 A. That's where I was before, 0150.

14 Q. I'm sorry, 0151. All right.
15 Looking at 595 supplies or, I'm sorry, seed --
16 strike that.

17 585 seed, we've got 92,000 in the
18 first year, and then 722,000 the next year,
19 and then 364 the following year. Is there
20 some reason why the seed cost fluctuates year
21 over year?

22 A. Two reasons; number one, maybe
23 prepaid; number two, if you plant it all to
24 beans, the seed cost isn't as high as if you
25 plant it all to corn.

1 Q. Okay. And to be clear, the seed
2 cost here reflects only the seed that was
3 planted in Sunshine Ranch's land, correct?

4 A. Oh, a couple of them got planted in
5 my shower when I took my boots off that night.
6 Yes, only in Sunshine Ranch.

7 Q. All right. I want to ask now, you
8 brought in a box of documents?

9 A. Yep.

10 Q. Can you just -- generally speaking,
11 what is that box of documents, what are those?

12 A. It's everything that has been
13 printed off that is public knowledge to follow
14 this case.

15 Q. Okay. Is there any objection to us
16 just reviewing this? We don't need to stay on
17 the record.

18 A. Who is 'we'?

19 Q. Me, can I look through it?

20 A. No. I didn't bring it down for you.

21 Q. Okay. Who did you bring it down
22 for?

23 A. Myself, to prove that I've been
24 watching this thing and it's concerning to me.

25 Q. Okay.

1 MS. GOODMAN: Um, all right, if I
2 could have two minutes to chat with my folks
3 and then I think this should be pretty close.

4 MR. GARDEN: Sure.

5 A. Do we need to leave the room?

6 MR. GARDEN: No, we've got Phil in
7 here, too.

8 (A short break was taken.)

9 Q. (Ms. Goodman) All right. Mr. Hall,
10 I've handed you Exhibit 25, which is a series
11 of pictures that you took, correct?

12 A. Yep.

13 Q. All right. In here you've
14 identified two skid loaders; is that correct?

15 A. Yep.

16 Q. All right. And with the skid
17 loaders come attachments?

18 A. There's some beside it.

19 Q. There's some beside it. What
20 evidence do you have sitting here today that
21 these skid loaders belong to Lisa or Alden
22 Zuhlke?

23 A. I have none.

24 Q. Excellent.

25 MS. GOODMAN: All right. And I just

1 want to follow-up on -- Phil, you had some
2 questions with regards to meetings and I just
3 want to make sure that the record is
4 abundantly clear.

5 Q. (Ms. Goodman) With regard to
6 Sunshine Ranch you -- have you ever attended a
7 shareholder meeting concerning Sunshine Ranch?

8 A. Not that I know of.

9 Q. Okay. And, likewise, then, you have
10 no information that Lisa Zuhlke has ever
11 attended a shareholder meeting involving
12 Sunshine Ranch, correct?

13 A. Correct.

14 MS. GOODMAN: That's all I have.

15 MR. GARDEN: I have nothing further.
16 Phil?

17 MR. KELLY: No more questions from
18 me.

19 A. I got one other comment, if I may?

20 MR. GARDEN: Sure.

21 MS. GOODMAN: Do we need it on the
22 record though?

23 A. Yeah, you can put it on the record.
24 I have no evidence that those are theirs, or
25 Lisa and Al's, just like I said.

1 MS. GOODMAN: Great. Okay.

2 A. But the dust was about this thick on
3 one of them (indicating). It has been sitting
4 for a long time, it's probably on their
5 depreciation schedule, one of them.

6 MR. GARDEN: When you said 'dust was
7 this thick', a half inch?

8 A. It's not a half inch, but it's
9 thick.

10 MR. GARDEN: Okay. I am not your
11 lawyer. Phil?

12 MR. KELLY: Let the court reporter
13 do it.

14 MR. GARDEN: Yes, about read and
15 sign.

16 COURT REPORTER: Sir, you have the
17 right to read and sign the deposition. And
18 what that means is that you can choose to read
19 and sign it or you can say I don't need to
20 read and sign it, I'm just going to waive it.
21 If you choose to read and sign it, I'll send
22 it to you in the mail with a signature page
23 and you have 30 days to return that.

24 A. I waive.

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(Deposition was concluded at
3:04 p.m.)

C E R T I F I C A T E

I, Tracy S. Kaczor, Certified
Shorthand Reporter and General Notary Public
in and for the State of Nebraska, do hereby
certify that the witness in this matter was by
me duly sworn to testify the truth, the whole
truth, and nothing but the truth, and that the
deposition was reduced to writing by me or
under my direction;

That the within and foregoing
deposition was taken by me at the time and
place herein specified and in accordance with
the within stipulations; the reading and
signing of the witness to this deposition
having been waived;

That I am not counsel, attorney or
relative of either party of otherwise
interested in the event of this suit.

In testimony whereof, I have placed
my hand and notarial seal this 23rd day of
April, 2025.

TRACY S. KACZOR, CSR
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Ewing, NE 68735